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HISTORICAL REVIEW

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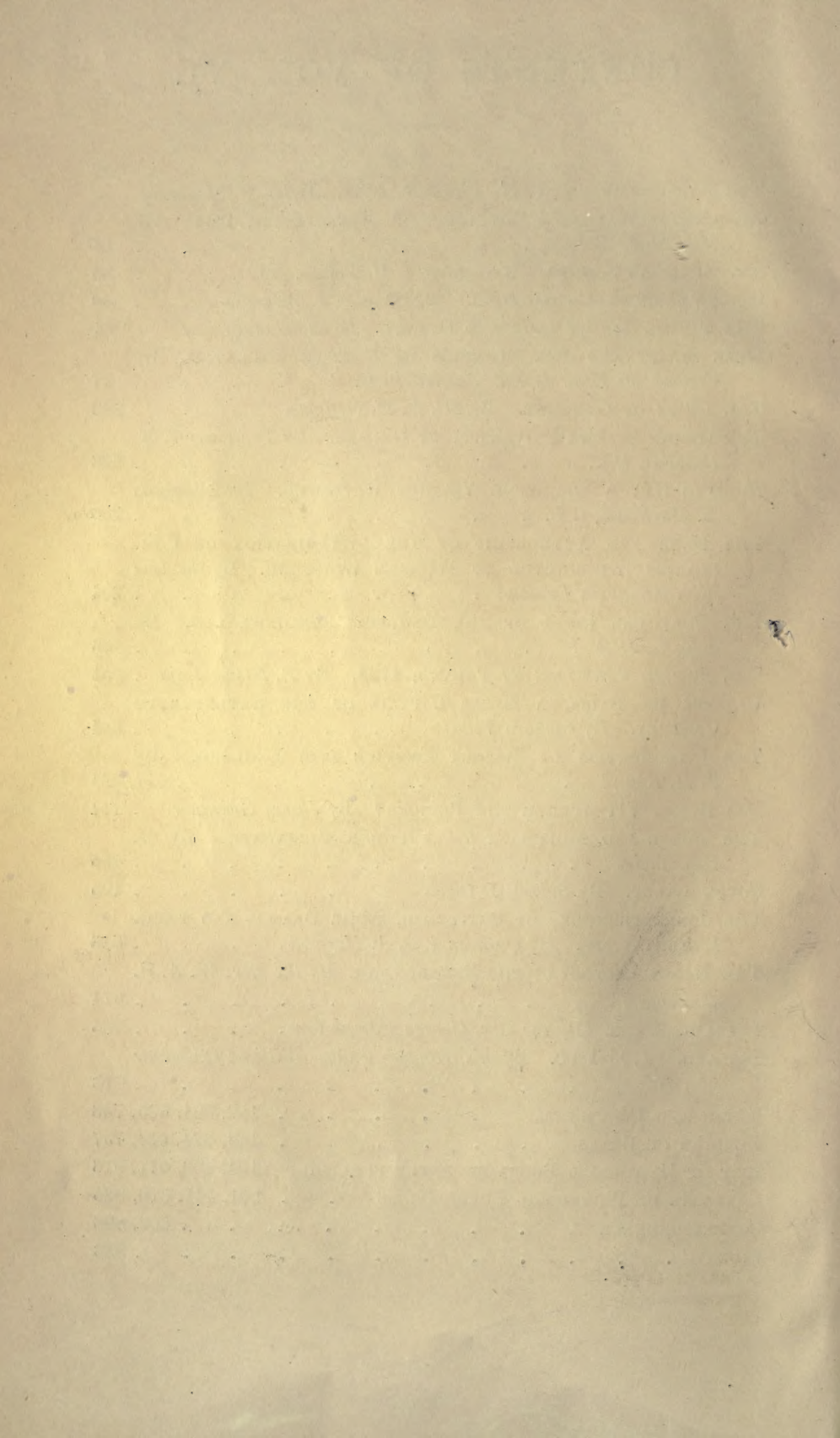


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THE ENGLISH HISTORICAL REVIEW

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The Capture of a General Council, 1241

THE circumstances relating to the capture of a general council by the emperor Frederick II are of considerable interest and importance, and have been related by historians with so many inaccuracies (and not of detail only), that it seems worth while to give an account of them founded simply upon the original authorities, with such corrections of the current mis-statements as may seem desirable.

The events to be considered belong to the years 1240 and 1241. Frederick II, excommunicated by Gregory IX on Palm Sunday of the year 1239, really for his successes against the Lombard cities, though other reasons in plenty were officially assigned, continued his operations in Lombardy for the remainder of that year. Then, after keeping Christmas at Pisa, where his excommunication was ignored, he proceeded early in 1240 to invade the dominions of the pope, reasonably regarding the publication of the ban as a declaration of war. The chief cities of Tuscany either opened their gates to the emperor or were speedily captured, and he wrote that he had been received there with great popular enthusiasm. Thence he advanced through the more undisputed part of the papal territory towards Rome, receiving on his way the submission of the towns, 'resuming them to the empire' according to the current phrase, and expressing a confidence which he could hardly have felt, that he would happily enter Rome amid the acclamations of his faithful people.¹ If he expected this, he took too little account of the easily moved devotion of the Romans and of the heads of St. Peter and St. Paul, which, after having figured

¹ Letter of Frederick from Viterbo in February 1240: Huillard-Bréholles, *Historia Diplomatica Friderici II*, v. 762. I shall make my references, wherever possible, to this magnificent collection of documents.

upon the seals both of the papacy and the empire,² now decisively took the side of the former. The pope, who on 22 Feb. transferred these precious relics in solemn procession from the Lateran to St. Peter's, was able to boast that (with the prospect before their eyes of a general indulgence) nearly the whole population took the cross for a crusade against Frederick, including those who (bribed, of course) had at first shouted for the emperor.³ To quote the words of M. Huillard-Bréholles,⁴

It may be said that on that day the populace of Rome saved the temporal power of the popes. This populace had no idea then of the importance which its unreserved alliance with an emperor who was at heart Italian would have had for the national development. Frederick II reigning in the Capitol, with Gregory IX reduced to the Vatican, would have meant the unity of Italy proclaimed by the Ghibelline party. The impression of the moment and the force of religious exaltation prevailed over regard for the future and the demands of policy.

The emperor gave up the attempt upon Rome, issued the summons for a parliament of the kingdom of Sicily to be held at Foggia on Palm Sunday,⁵ and proceeded thither himself in April.

The pope had met with no encouragement either in France or Germany of his attempts to procure the election of a new emperor; on the contrary, he received during the months of April and May many letters from the princes and bishops of Germany urging him to make peace with Frederick, and commending to him the mediation of Conrad of Thuringia, master of the Teutonic order.⁶ Negotiations for peace were in fact begun on the initiation of the pope, and although Frederick in a letter written to his son Conrad declared that he would not stop short until he had humbled the pride and chastised the offences of his enemy,⁷ yet in June he evidently

² The seal of the emperor Henry VI had upon it the design of a basilica, supposed by M. Huillard-Bréholles to be that of St. John Lateran, with a pair of heads over the door; *Hist. Dipl.* introd. p. cviii.

³ It is curious to compare the account given of this affair by Frederick in his letters to Henry III of England and the other princes (*Hist. Dipl.* v. 845): speaking of the pope he says: *timore terribili licet juste perterritus, cum per seram poenitentiam sibi non crederet posse consulere, in profundum desperationis immersus ac viribus propriis omnino diffusus, Romano populo clamante nostrum ad urbem accessum, garsones quosdam et vetulas necnon et paucos admodum conductivos milites veris praeter solitum effusis lacrymis exoravit, ut contra nos crucem assumerent, in sua praedicatione mentitus quod nos ad eversionem Romanae ecclesiae ac violationem sacrarum reliquiarum beatissimorum apostolorum Petri et Pauli procedere nitebamur.*

⁴ *Vie et correspondance de Pierre de la Vigne*, p. 181.

⁵ Letters were issued from Viterbo to the chief officers of the kingdom, and also to the principal towns. The latter were to send each two representatives, an indication that the constitutional regulations in this matter were not always strictly adhered to; but this was an extraordinary summons; the ordinary meetings of parliament were on 1 March and 1 Nov.

⁶ *Hist. Dipl.* v. 985. Conrad died, however, shortly after his arrival in Rome.

⁷ *Ib.* v. 1003.

thought that peace or at least a truce was assured. On 18 July, however, he wrote that the negotiations had been broken off because the pope insisted on the Lombards being included in the treaty, whereby (according to the emperor) he made a scandalous avowal of that which he had hitherto denied, namely that he regarded the cause of those rebels and heretics as his own, and that he had been moved to the sentence of excommunication not by the reasons officially stated, but by partisan favour for the enemies of the emperor. The same absence of good faith had been shown in the conduct of the legate Gregory of Montelongo, who had personally led the army of the Milanese, and in the treachery which this same legate had practised or authorised towards Salinguerra at Ferrara.⁸

The pope found himself driven to extremities. He had desired to obtain a truce until the Easter of the next year, with the intention of calling a general council in the mean time for settlement of the differences between the papacy and the empire. He was resolved, however, not to abandon the cause of the Lombard cities, with which he felt that his own was bound up; and he now determined upon the dangerous step of summoning the council without arranging for a truce. Accordingly on 9 Aug. letters were issued addressed to the princes and prelates of Christendom, summoning them to appear in Rome, the former by envoys and the latter in person, at Easter of the ensuing year, to consult about grave matters affecting the church. It is urged against Frederick that he had no right to object to this step; and it is undoubtedly true that the emperor had after his excommunication appealed to a general council. In his encyclical of 20 April 1239,⁹ he had said:

Let it not, therefore, be a cause of marvel to the church, to the kings and princes, or to the nations of Christendom that we cannot respect the sentence of such a judge, . . . and in order that all the heads of Christendom may perceive the rectitude of our purpose and that it is not for the stirring up of hatred but for a most just cause that the Roman emperor is moved against the Roman pontiff . . . by our letters and envoys we adjure the cardinals of the holy Roman church by the blood of Jesus Christ, calling upon the judgment of God, that they summon a general

⁸ The story told by Matthew Paris of the pope's quarrel with Cardinal Colonna on this occasion, which is adopted by Raumer (*Geschichte der Hohenstaufen*, iv. 21), and after him by Milman, must be rejected, as also his account of the pope's motives throughout the transaction (pp. 365, 366, ed. 1644). It is clear that no truce was made by the pope, and according to Richard of San Germano (*Murat*, vii. 1045) the breach between the pope and Cardinal Colonna occurred in January 1241. The accuracy of this last chronicler, especially in notes of time, and his presence on the scene of action, makes his testimony almost decisive. Moreover, to judge by the letter from the emperor to Cardinal Colonna in *Hist. Dipl.* v. 1157, the difference seems to have turned upon questions which concerned the general relations of the empire and the papacy.

⁹ *Hist. Dipl.* v. 304 &c.

council of the prelates and other faithful followers of Christ, calling to it envoys from us and from the other princes, in whose presence we ourselves in person are prepared to set forth and to prove all that we have said.

That he actually did take steps to have a council summoned by the cardinals is sufficiently proved, though it has not been always noticed by historians. In the letter in which he explains to the princes the grounds of his hostile proceedings against the territory of the pope,¹⁰ he says with reference to the excommunication :

We, however, holding this his manner of proceeding to be hasty and unjust, sent letters and envoys to his brethren (*i.e.* the cardinals) desiring that a general council might be summoned, in which we engaged that we would prove by arguments clearer than light the iniquity of the corrupt judge, the justice of our empire, and our own innocence. Upon which not only was no account made of our plea, but, contrary to the law of nations, which forbids the violation of envoys and messengers, he who writes himself as bishop and servant of the servants of God ordered our envoys aforesaid, being bishops, to be thrust into the foulest prison.

The fact that Frederick attempted to call a council through the cardinals is mentioned also in his letter of 13 Sept. and confirmed by Matthew Paris,¹¹ who, however, fails to appreciate the difference between the council desired by Frederick and that summoned by the pope, and consequently accuses the emperor of inconsistency. Frederick again refers to the matter in a letter to the king of France¹² written at the end of the year 1240 :

He prevented the assembly which was awaited by us for setting forth our pleas of innocence : therefore it is no wonder that we do not suffer the council to meet, to which, omitting our adherents, he has summoned the rebels against the empire and our capital foes, as our former letter brought to your knowledge.

The proceeding of the emperor seems, indeed, to have been in equity more correct than that of the pope ; for clearly the council which was to decide the quarrel should have been summoned by the cardinals rather than by one of the contending parties ; and the outrage on Frederick's messengers might seem to justify measures of retaliation. In any case it is quite out of place to charge the emperor with inconsistency because he endeavoured to hinder the meeting of the council summoned by the pope, with whom he was still at war. In a letter addressed to some of the cardinals,¹³ he expressed his suspicions of the real object of this assembly ; and whatever may be its object (he says) it is clearly not summoned for peace but for war, seeing that it is not called by the cardinals, nor are the persons summoned to be freely chosen,

¹⁰ *Hist. Dipl.* v. 843.

¹² *Ib.* v. 1076.

¹¹ P. 358.

¹³ *Ib.* v. 1028.

but it is called by the chief enemy of the emperor, and others of his bitterest enemies are among those summoned. Surely peace ought to have been made first, before a council was called together. On 13 Sept. from his camp before Faenza the emperor sent out an encyclical protesting formally against it.¹⁴ After referring to the history of the quarrel and to his own attempt to summon a council, he says that everything now tended to show that this step taken by the pope was not for peace but for war, and more especially the fact that so many of the personal enemies of the emperor, the count of Provence, the doge of Venice, the marquis of Este, the count of St. Boniface, Alberic da Romano, Paul Traversaria, Biaquino and Guecello da Camino, men who had conspired with the pope against his life, were expressly summoned.

We shall not permit a council to be summoned by him while the present discord lasts between us, seeing that he is a public enemy of the empire . . . and to all who have been summoned we refuse safe passage for persons or goods through the whole land subject to our jurisdiction. Wherefore we pray you to make it known to all prelates of your kingdom that none must attempt to go to the council trusting in our protection; for although we would willingly show regard to the subjects of your kingdom for the special love which we have towards you, yet it would not become us to endure the presumption of those who rashly disregarding our prohibition should attempt to obey the summons of our enemy.

Matthew Paris adds¹⁵ that the emperor made a special objection against the English taking part in the council on the ground that the king and the prelates of England were sworn subjects of the pope, a taunt to which Henry III had fairly exposed himself,¹⁶ and that the large sums collected in England for the pope proved that they could be no impartial judges of the dispute.

It would seem that on this question the public opinion of Europe was not unfavourable to the emperor, who was thought to have been harshly treated in the matter of the excommunication, and who had created a good impression by his letter of 25 April¹⁷ to Henry III and the other princes with regard to the state of things in the east. In this letter he expressed regret for the defeat sustained by certain crusaders near Gaza on 13 Nov. of the preceding year, pointing out that he had warned them against attempting anything at present, but unfortunately, owing to the attitude of the pope, he had now no influence on the conduct of affairs. He desired either

¹⁴ *Ib.* v. 1037 (from Pet. Vin. i. 34).

¹⁵ Matt. Paris, p. 368.

¹⁶ When Frederick complained (about February 1240) that his brother-in-law, the king of England, had allowed him to be 'so horribly and unjustly' excommunicated in his Christian land, and demanded the expulsion of the legate, who was collecting money against the emperor, Henry replied that he ought to obey the pope, who was his liege lord, rather than any other prince *et sic se excusando turpiter accusavit*. Matt. Paris, p. 354.

¹⁷ *Hist. Dipl.* v. 921, from Matt. Paris.

to go thither himself or to send his son, but this was impossible while affairs were still so unsettled in Italy; and meanwhile it was most imprudent to break the existing truce and endanger the lives of the Christians in the Holy Land. If the former sultan were still alive, his friendship with the emperor would have made him willing to release the prisoners; as it was he pledged himself to endeavour to obtain their release from the present sultan. This letter was probably enough a diplomatic move, but people were struck by the contrast between the emperor who desired to take up the cause of Christendom in the east and to defend his kingdom of Jerusalem against the infidels, and the pope who was proclaiming a crusade for ambitious ends (as it seemed) against the temporal head of Christendom, and was dispensing from their vows those who had engaged themselves to go to Palestine, on condition that they gave money or help against Frederick.¹⁸ It is clear that the pope was disturbed by the effect of the various influences which were at work against the council, and in October he wrote letters specially urging the bishops and some others¹⁹ to obey the summons to the council and to disregard the threats of the emperor.²⁰ At the same time (13 Oct.) he wrote to his chaplain, Gregory of Romagna,²¹ bidding him make arrangements with all secrecy at Genoa for the preparation of a sufficient fleet to convoy the prelates, since the ways by land were closed by the emperor.

Of late (he writes), for various difficult matters concerning the Roman church we thought it good to summon to our presence at the feast of the resurrection of the Lord next ensuing the prelates of the churches and envoys from the kings and princes. But since Frederick, called emperor, the adversary of God and of the church, endeavours to hinder the summons, therefore we command, &c.

Such is the style even of a confidential letter. The commands were that the legate with the assistance of the bearer of the letter, a Cistercian monk, should make what arrangements he could at

¹⁸ Matt. Paris, pp. 354, 359. He says that in England many were *compelled* to redeem their vows, and that it caused great scandal.

¹⁹ E.g. Alberic da Romano, *Hist. Dipl.* v. 1055.

²⁰ Matt. Paris describes the painful state of mind of the prelates, who felt themselves between Seylla and Charybdis, and who found the letters of the pope rather poor comfort (p. 374). The encouragement seems to have been constantly repeated, for the historian says of them afterwards, *qui cum timerent minas Imperatoris si transfretarent, frequenter epistolas et nuntios a domino Papa receperunt consolatorias et admonitorias, ut non omitterent navigando ad Concilium properare*.

²¹ *Hist. Dipl.* v. 1053. Most historians (notably Raumer and Milman) have confused Gregory of Romagna, legate at Genoa, with Gregory of Montelongo, legate at Milan. If any proof were needed that they are different persons, it would be supplied by Frederick's letter written in May 1241, in which both are mentioned (*Hist. Dipl.* v. 1126). To the one the pope writes as *G. de Monte Longo, subdiacono et notario nostro*, to the other *G. de Romania subdiacono et capellano nostro*. They were not cardinals.

Genoa for the hire of an armed fleet from the government of the republic, taking care above all that no news of it should reach the ears of the emperor or his adherents. Letters were sent also to the podestà of Genoa to facilitate the negotiations, and to the legates in France and England, James, cardinal-bishop of Preneste, and Otho, cardinal-deacon of S. Nicholas in carcere Tulliano, to bid them make the required payments out of the large sums which they had collected against the emperor. The instructions of the Cistercian monk were that he should use all diligence to induce the Genoese to accept a moderate sum of money, 'and whereas the Genoese, as we know by experience, are accustomed to let out an armed galley for two hundred pounds Genoese ²² a month, you will endeavour to have them for less.' The legate writes in the early part of December ²³ that he has concluded the bargain, though with great difficulty, arising from the opposition of some without whose consent it could not be made. He appends the details of the contract, which are interesting but apparently incomplete. It seems clear that the Genoese drove rather a hard bargain with the church, and they insisted upon the payment beforehand of two months' hire.

During this period there is no doubt that the Dominican and Franciscan friars, whose founders had both been canonised by Gregory IX, were of the greatest service to the papal cause, and were employed in secret missions and intrigues of all kinds against the emperor. Frederick was very sensible of this, and in the month of November he expelled the friars of those orders from the kingdom of Sicily, allowing two only to remain in each of their houses, and these must be natives of the realm.²⁴ Shortly afterwards he wrote to the head of the Dominicans in Paris ²⁵ professing friendly intentions towards the order, and asking that certain brethren might be restrained from going about with letters and embassies against the emperor, now that 'the Roman pontiff has found out this new way of calling together the rebels against the empire and our enemies from all parts under pretext of a council, so that having them present he may confirm them in their rebellion and open a wider road for scandal.' This was the light in which the project of a council presented itself to the emperor, and he was not disposed therefore to be remiss in his measures of prevention. On the alleged ground that the council would be a source of scandal and discord, and dangerous to established governments, he proclaimed to all faithful subjects of the empire that they should 'hinder, disturb, and detain, both in person and property, all

²² The *libra Januensis* was at this time rather less than a third of the mark in value. The legate exchanged 1,000 marks for 3,550 pounds Genoese.

²³ *Hist. Dipl.* v. 1061.

²⁴ Rich. of San Germano (Murat.), vii. 1045.

²⁵ *Hist. Dipl.* v. 1098.

prelates, archbishops, bishops, abbots, priors, and heads or ministers of any religious order,' who should pass through their land to go to the court of Rome, whether they should go by sea or by land, privately or publicly, and that they should absolutely refuse them passage both by sea and by land.²⁶ To stimulate their loyalty the proclamation gave them free leave to capture any such persons and to appropriate their goods. Meanwhile ships were ordered to be prepared in all the seaports of the kingdom.²⁷

'Which when the pope heard,' says Matthew Paris, 'he multiplied upon him maledictions and heaped up excommunications;' but Frederick was by this time somewhat hardened against weapons of this sort, and there was much more need to multiply letters of exhortation to the trembling prelates. These were in a grievous strait. The power and the unscrupulousness of the emperor made the journey terrible to them, while the exhortations of the pope by letter and of his legates in person hardly left them a way of escape. The English prelates especially stood aloof, and watched the event with justifiable caution.²⁸ A letter written perhaps by one who meant to stay away himself, and desired to prevent others from going,²⁹ was widely circulated towards the end of the year 1240. In this there are set forth with considerable force and eloquence some of the inconveniences which may reasonably be looked for by those who are over-zealous in their loyalty to their spiritual chief, and the description of the horrors of a sea voyage is evidently written by one who has experienced them: 'The dangers upon the sea are these: indigestible biscuit, wine spoilt by the continual motion of the sea, water which breeds worms and infects with its poison everything with which it is mingled, such as cannot be drunk except with closed eyes and teeth, and with utter disgust.' Then there are storms which raise waves mountain high, and cast the ship away upon barbarous coasts; there are rocks upon which the ship may strike at any moment, or the masts, sails, and oars may be torn away by the wind and waves, and the ship left to drift helpless. Pirates may capture them, winds may drive them away from the port which they are just entering, and keep them at sea till all the provisions are consumed, and they perish of hunger and thirst.

Moreover, there is on the sea a certain intolerable abomination which none can escape or endure; for whereas our nature cannot well suffer

²⁶ *Hist. Dipl.* v. 1089.

²⁷ *Rich. of S. Germ.* (Murat.), vii. 1045.

²⁸ *Matt. Paris*, p. 374.

²⁹ *Hist. Dipl.* v. 1077. Raumer (followed as usual by Milman) ascribes this letter to Pier della Vigna. The absurdity of the supposition, which is founded on its title in a manuscript copy, must be obvious to every attentive reader of it, not only because of the expressions used about the emperor, but still more because of the absence from it of all official style. It might easily be proved that Milman in the *History of Latin Christianity* followed Raumer during this period without verifying his citations.

sudden changes, by reason of change of air and food, and the continual motion, the stomach is provoked to vomit, and that which it took in with loathing it vomits forth with pain. . . . And since the ship though small is the receptacle of many persons, there is no distinction of places for the multitude of those whom it contains, and one lies close by the side of another suffering the various forms of the disorder.

Consequently all sense of decency is lost, and the most disgusting abominations occur. The traveller thus perishes miserably and is cast out into the sea even before he is dead, or the infection of the foul air is such that if he does not die on the sea he carries with him to the land a mortal disease. There follows a lively description of the power of the emperor, and of his merciless severity; he is 'pitiless, full of fury, without natural affection, false in words and deeds, given to vices, without devotion to God, in cruelty a second Herod, in impiety another Nero.' Possessing all the ports of the sea except Genoa, he will either capture them on the sea, or take them prisoner when they come into port, or bribe the sailors of their fleet to deliver them up, 'since he is a man of eminent sagacity and cunning,' and then what have they to expect from a man who keeps his own son in prison, and disdains to show him any pity? (It is certain that this kind of language did not go forth from Frederick's chancellery: it expresses no doubt the popular feeling about the emperor in ecclesiastical circles.) After this comes the description of the dangers of the city of Rome, *urbis inurbana pericula*, which is quoted by Raumer.

If they succeed in reaching Rome they will be even worse off than before. There will be intolerable heat, foul water, coarse, unwholesome food, a thick atmosphere, swarms of mosquitoes, multitudes of scorpions, and a race of men who are dirty, disgusting, and frantic, while underneath the city there are caves full of enormous reptiles which exhale a pestilent vapour. Finally, if they survive all this, there remain the dangers of the return journey. And all for what? That the pope may make them his instruments, and employ them not for the good of the church, but for the ends of his policy.

This letter has no official character, but it is valuable as an index of the state of mind in which many probably were. How many prelates obeyed the summons it is impossible to say, but a considerable number from France and Spain, with a few perhaps from England,³⁰ were gathered by the legates at Nice in the month of March 1241, and a Genoese fleet arrived there to convey them to Genoa. To some the fleet seemed insufficient for their safety,

³⁰ If any English prelates of note came over with the legate, they must have turned back on the way or from Nice, for we hear nothing of them afterwards. There was an envoy from the king of England, John of Lexington, and his brother the abbot of Savigny; but, to judge from Matt. Paris, the papal cause had become very unpopular with all classes in England. He says that no one was sorry except the king when the legate departed (p. 371).

and many turned back upon this pretext, sending only proctors to represent them.³¹ Those that chose to embark were brought to Genoa and lodged in the archbishop's palace, and thither came also the legate Gregory of Romagna with other prelates and with envoys from the Lombard cities who were at war with the emperor. An embassy from the Pisans had already, on behalf of the emperor, endeavoured to persuade the Genoese not to keep their bargain with the pope, but without effect.³² The emperor therefore changed his tactics, and sending envoys to Genoa³³ he signified to the prelates there assembled that he was prepared to grant them a safe passage to Rome, provided that they would go by land instead of by sea; and if they did not trust his promise, they might devise a form of security for themselves, to which he would agree. His desire was that they should have a personal interview with him, before they proceeded to the council, in order that he might fully explain his case to them, after which he would leave them to judge of it freely. He complained of the persecution which he had suffered from the pope in such feeling terms that the hearers were almost moved to tears. He had been condemned as a heretic, though unconvicted of heresy; he had been excommunicated and called an enemy of the Christian faith; his name and fame had been blackened. He had desired a council, but not one like this, to which his open enemies were specially summoned: it would be unreasonable to expect him to commit the decision to the judgment of his enemies. He would gladly have come himself to see them, but various reasons prevented him; among others, the hostility of the Genoese, *quibus noluit nisi in forti manu appropinquare*. The prelates, however, encouraged by the pope's assurances, replied, *Non est fides adhibenda cavillatoriis dictis excommunicati*, and refused to accept his proposal.

On 25 March, Frederick wrote secretly to his chief adherents in Genoa,³⁴ to inform them that he was sending Marino di Ebulis and Oberto Pallavicini to invade the Genoese territory from the north and west respectively.³⁵ This letter was intercepted, and either in consequence of this or of other intrigues the leading Ghibellines were driven out of Genoa and outlawed.³⁶ The Genoese meanwhile

³¹ Bartolomeo, ann. 1241. Bartolomeo is the Genoese official annalist of the period one of the successors of Caffaro.

³² Bartol. ann. 1241. The long speeches which Foglietta (*Historiae Genuensium*, ff. 68, 69) puts into the mouth of these envoys, and the reply of the Genoese, are doubtless of his own invention.

³³ Matt. Paris, p. 380. I see no reason to doubt this. Probably Matt. Paris had it from an English prelate who was present.

³⁴ *Hist. Dipl.* v. 1108.

³⁵ The former was a *Papia superius vicarius*, and the latter *vicarius in Lunegiana*. Pallavicini had made an attempt upon Genoese territory in November of the year before (Bartol. ann. 1240).

³⁶ See the full account of these events in Bartolomeo.

boasted loudly of their power to deal with any naval force which the emperor might send to intercept them, and jested at the fears of the prelates,³⁷ who embarked at length with some justifiable apprehensions. As to the number of the Genoese ships, the statements are conflicting, but there were probably at least thirty-two armed galleys and galeasses, with one or more sent by the count of Provence, and a certain number, perhaps a considerable number, of other ships and boats for transport.³⁸ The commander of them was Giacobbo Malocello,³⁹ of a family which was just rising to importance, a member of which fifty years later gave his name to the island of Lancerotto in the Canaries. The fleet left Genoa on St. Mark's day, 25 April, with great rejoicing and blowing of trumpets; but at first they went only as far as Porto Fino, some six miles off, where they waited a day or two for news of the enemy and then proceeded to Levanto; here they heard news of Pallavicini, who was attacking Zolasco, and the crews of the galleys desired to land and oppose him, but were hindered from doing so by the cardinals.⁴⁰ Finally having reached Porto Venere, they heard that the emperor had sent a fleet of twenty-seven galleys to join the Pisan ships, which amounted to forty large and small, and that the combined fleets were preparing to intercept their passage. Enzo was with

³⁷ *Multiplicabant loqui sublimia, asserentes vires adversantium nullatenus sibi formidabiles; meticulosos et pusillanimos praelatos et literatos appellantes.* Matt. Paris, p. 380.

³⁸ The Genoese annalist says 27 galleys, whereas the fleet sent to Nice (which would naturally be smaller) is set down as 30 galleys and galeasses (i.e. *taridae*, carrying less than half the number of men required for a galley). Other authorities referred to by Foglietta, f. 70, made the total number 60, including vessels of transport: *bien la vessiax armés*, says the continuation of William of Tyre (Martène et Durand, *Coll. Ampliss.* v. 719). The friar who writes to the bishop of Brescia (*Hist. Dipl.* v. 1146) says 33 galleys. By the contract with the legate, the number of armed vessels was to be 32, half galleys and the rest galeasses. The pope writing on 15 March (*Hist. Dipl.* v. 1106) had warned the legate that this would not be sufficient, but he afterwards complains that his warnings have not been heeded (Raynald, *Ann. Eccl.* 1241, § lxviii.). Possibly galleys were substituted for galeasses in whole or in part. The presence of a certain number of lighter vessels and of a galley sent by the count of Provence is mentioned in the letter of the Genoese to the pope (Rayn. 1241, § lx.). If the statement in this letter is correct, that seven galleys returned, we may reckon up the galleys (and galeasses) thus: 3 sunk, 22 captured, 7 escaped, total 32.

³⁹ Singularly enough the names of the commanders on both sides have been very generally mistaken. Villani says that the Genoese admiral was Guglielmo Obriachi, and plays upon his name thus: *Messere Guglielmo Obriachi, ch' era col nome il fatto, et huomo grosso di testa e di poco senno, non volle seguire il detto consiglio.* This is copied by most of the modern historians. 'The Genoese admiral,' says Milman, 'who had the ill-omened name Ubbriaco, the drunkard, was too proud or too negligent &c.' (vi. 219). And yet it is quite certain from Genoese sources (e.g. Bartol. ann. 1241) that the admiral was Giacobbo Malocello (or Marocello), though Guglielmo Embriaco (il Negro), who is evidently referred to by Villani, was present with the fleet. This travesty of the name Embriaco, the most famous name in the early history of the republic, may be excusable in a Florentine annalist, but hardly in a modern historian.

⁴⁰ Bartol. ann. 1241.

the imperial ships,⁴¹ but the actual commander of these was Andreolo son of Ansaldo de' Mari,⁴² while the Pisans were under Ugo Buzzacherini. The alarmed prelates desired their admiral to hold his course outside the island of Corsica, so as to avoid the enemy, but he contemptuously refused, and left Porto Venere without waiting for the reinforcement of eight galleys which was being sent after him from Genoa.⁴³

The exact course which he took is uncertain; but we may be tolerably sure that, with all his rashness, he would not choose to sail close by Porto Pisano, where the imperial fleet was supposed to be. This consideration alone would suffice to throw doubt on the statement, repeated by all modern historians, that the encounter of the fleets took place near the island of Meloria opposite Porto Pisano, where the Pisans were defeated by the Genoese in 1284. This mistake, like that already noticed in connexion with the name of the Genoese admiral, seems to be originally due to the Florentine Giovanni Villani, who, however, does not say that the fight took place near Meloria, but 'between Porto Pisano and Corsica,' a sufficiently vague expression, and adds that many of the prisoners were thrown into the sea and drowned near the rock or islet called Meloria off Porto Pisano; he further remarks that the place where the prisoners were drowned was afterwards signalised by the great defeat of the Pisans.⁴⁴ This remark is improved by Foglietta into a speech delivered by Oberto d'Oria, commander of the Genoese at the battle of Meloria in 1284, in which he reminds his men of the defeat suffered in that place, which they had to avenge. This speech, which was apparently invented by Foglietta,⁴⁵ has not only been accepted as a fact by historians, but

⁴¹ He was *totius Italiae legatus*, that is from the Alps to the northern borders of the kingdom of Sicily.

⁴² Niccolini Spinola, the admiral of the kingdom of Sicily, had died towards the end of 1240, and Frederick had appointed Ansaldo de' Mari to his place, who secretly left Genoa and entered into the service of the emperor with his son. On this occasion his place was taken by his son. Matt. Paris says that the commander of the imperial fleet was Stollus, a famous pirate, *Stollus pyratarum peritissimus*, and for some time I was unable to imagine where he had found this name. It occurs to me now that his mistake arose from misunderstanding a passage in Frederick's letter announcing his victory, in which, according to the version given by Matt. Paris, he says: *nostram diu ante praevisam classem convenire fecimus ad Pisam, victoriosum galearum stolum praeponentes*. He seems to have misunderstood *praeponentes*, and taken *stolum*, 'fleet,' as a proper name: 'setting the victorious Stollus to command our galleys.' The sentence is given differently by Rymer (*Foedera*, i. l. 138), where we read: *nostrarum diu ante praevisarum convenire fecimus apud Pisas victoriosum galearum stolum*, and I suspect that the copy used by Matt. Paris had been conjecturally emended. First perhaps *nostram* and *praevisam* were written by mistake for *nostrarum* and *praevisarum* (abbreviated), and then *classem* and *praeponentes* may have been inserted to improve the sense.

⁴³ Bartol. ann. 1241.

⁴⁴ Villani in Muratori, xiii. 167.

⁴⁵ Neither the Genoese annalist, who at that time was one of the d'Oria family, nor any other contemporary authority says anything about a speech. Foglietta was

also regarded as conclusive evidence that the encounter of the Genoese with the imperialists in 1241 took place near Meloria. There is no doubt that the battle actually took place near the island of Giglio,⁴⁶ about ninety miles distant from Porto Pisano, where the imperialist fleet, which had been coasting along, meaning to intercept them when they should attempt to enter a port, was sighted on Friday, May 3, in such a position that it was impossible to avoid their attack. The unhappy prelates, who had been at sea more than a week and were hoping for a speedy arrival, now saw their worst fears about to be realised. In number of fighting vessels the Genoese were hopelessly inferior to the enemy, and the load of passengers and baggage which they carried was a great impediment in fighting. The Genoese in their official letter to the pope boast of having captured and sunk three galleys of the enemy in advance of the rest, the crews of which they beheaded or drowned. This may be so, but no such incident is mentioned in any other account of the battle. The authorities on the other side do indeed speak of three galleys having been sunk, but they are Genoese,⁴⁷ and the Genoese annalist makes no mention of any galleys sunk on either side. It seems probable that very little resistance was attempted, for by much the greater number of the Genoese galleys were captured with crews and passengers, and those that escaped, either five or seven, with a number of smaller craft, about which perhaps the enemy did not trouble themselves, brought back no definite news to Genoa of the fate of their companions. A week after the battle the Genoese were still under the delusion that four only of their ships had been captured, and that the rest were merely dispersed and would come in later.⁴⁸ This looks like a rather precipitate flight, especially as the admiral's ship was among those that escaped. In any case twenty-two Genoese galleys fell into the hands of the enemy, sixteen taken by the imperial ships and six by the Pisans,⁴⁹ with contents which were of enormous importance to

an excellent Latinist, who, after the example of Livy, would compose speeches when occasion served. As a trustworthy historian, he is not to be compared to Gius-tiniani.

⁴⁶ Bartol. ann. 1241 says, in *aquis Pisanorum supra Zigium*: a Dominican friar on the side of the emperor, writing to the bishop and canons of Brescia (*Hist. Dipl.* v. 1146), says, *inter insulam Cylia et montem Chrystoliensis* (i.e. Giglio and Monte Cristo): Nicolaus de Curbio (Muratori, *Scr. Rer. Ital.* iii. 592) says, *juxta insulas quae vulgo vocantur Giliu et Planosa*: and the Sienese chronicle, cited by Muratori, xv. 26 (note), has *inter montem Christi et Montem Argentarium in mari prope Grossetum* (the island of Giglio lies exactly between Monte Cristo and Monte Argentario, and belongs now to the province of Grosseto, which was then under the dominion of Siena). Neither Matt. Paris nor Richard of San Germano mentions any definite place. Ptolomaeus of Lucca (Murat. xi. 1281) says, *apud Meloram*, adding an allusion to the events of 1284, but he is neither contemporary nor accurate (for example, he supposes Innocent IV to have been pope at the time of the battle).

⁴⁷ *Hist. Dipl.* v. 1125, 1127, 1146.

⁴⁸ Rayn. *Ann. Eccl.* 1241, § 1x.

⁴⁹ *Hist. Dipl.* v. 1127.

the emperor. Among the prisoners were all the three legates (two of them being cardinals), the archbishops of Rouen, Bordeaux and Auch, the bishops of Carcassonne, Agde, Nismes, Tortona, Asti and Pavia, the abbots of Citeaux, Clairvaux, Clugny, Fécamp and others, the envoys from Milan, Brescia, Piacenza, Genoa and perhaps Bologna, the proctors who represented many other prelates who had stayed at home or turned back, and a number of attendant clergy and monks, besides fully four thousand Genoese. The archbishop of Besançon was drowned either by accident or mistake. On the other hand the Spanish prelates and some others escaped, including the archbishops of St. James of Compostella, Braga, Arles and Tarragona, and the bishops of Salamanca, Astorga, Oporto, Orense, and Plasencia, also the abbot of Savigny,⁵⁰ an Englishman (with difficulty saved by the good knight his brother, Sir John of Lexington, who was envoy from the king of England), and a few of the proctors and attendants.⁵¹

Many of the prisoners seem to have been put to death during the battle, for the Genoese in their letter to the pope complain bitterly of their enemies' barbarity in this respect,⁵² having boasted just before (perhaps falsely) of precisely similar conduct. But this was probably not all. It was quite in accordance with the customs of the time that prisoners taken in battle should be put to death in cold blood afterwards, and we may easily believe the statement of the chronicler⁵³ that many of the Genoese prisoners were drowned after the battle, owing to the fear which their number inspired. Possibly the tragedy may have been re-enacted before entering port, for the idea which connected Meloria with the battle appears primarily to be bound up with the report of a slaughter of this kind there perpetrated. It is possible that some of the prisoners may have been thrown into the sea, but it is not likely that any ecclesiastics of consequence lost their lives in this way. However, the sufferings of the clerical prisoners must have been very considerable. The letter from three of the French abbots to

⁵⁰ *Abbas Savianensis*, Matt. Paris, p. 380. Perhaps it was from him that Matt. Paris had his information.

⁵¹ For the names of those who were taken or escaped, the best authorities are the letter to the pope from the archbishops of Arles and Tarragona and several others who escaped, dated Genoa, 10 May 1241 (*Hist. Dipl.* v. 1120); the letter of some of the captured abbots to the abbot of Savigny (*Hist. Dipl.* v. 1121); and the letters of the pope to the imprisoned prelates (*Hist. Dipl.* v. 1136, and Rayn. 1241, § lxxi.). The *episcopus Placentinus* would be the bishop of Plasencia in Spain, not of Piacenza in Italy, of whom it might fairly be said that he had no business in this galley.

⁵² *Dei timore, et naturali lege, et honore crucifixi et sponsae suae pia matris vilipensis . . . tanquam carnifices et tyranni sanctorum patrum innocentem et aliorum conducuntium eos sanguinem effuderunt, corpora ipsorum tam in mari quam in lignis more tyrannico trucidantes.*

⁵³ Rich. of S. Germano, p. 1046

their brother of Savignac⁵⁴ reports that the sailors stripped them of everything without mercy, and brought them to Pisa *nudos et discalceatos* after a week of suffering on board the ships.⁵⁵ Thence (they said) all the chief ecclesiastics, except the legate of England and the archbishop of Rouen, had been transferred to the castle of San Miniato: their attendants, priests, monks, and lay brethren, remaining at Pisa. At San Miniato the two legates, two archbishops, six bishops and two abbots were kept in chains, with many priests and others. They themselves (the abbots of Citeaux, Clairvaux and Pietas Dei) were still unchained, but expected soon to share the fate of the rest. They request that the monks and others who came with them may if possible be recovered, that their monasteries may be encouraged to be careful in observance, and that special prayers may be offered for themselves. A postscript adds that the legate of England and the archbishop of Rouen have now been brought from Pisa to San Miniato.

How long the prisoners were kept there does not appear; but they were soon transferred by sea to Naples⁵⁶ under orders from the emperor, to whom Enzo had sent for instructions. Matthew Paris gives a pitiable account of their sufferings at sea and in prison:⁵⁷

While on the voyage they sat crowded together in oppression and bonds, and there came upon them intolerable heat with flies swarming round them and stinging them like scorpions; and so, tormented with hunger and thirst, and subject to the violence of the ruffianly and piratical sailors, they endured a protracted martyrdom for their obedience. The prison, therefore, when they arrived seemed to them a welcome place of rest, and the more delicate of them suffered great exhaustion and illness, of which several died, leaving the misery of this world and winning the palm of martyrdom.

At Naples they were imprisoned for a time all together in a castle near the city, where they 'lay heaped together like pigs,'⁵⁸ until they were distributed in various prisons throughout the kingdom. All suffered much, but the bishop of Praeneste, who had been legate in France, was dealt with more severely than the rest,⁵⁹ doubtless because of the emperor's strong personal feeling against him. Frederick cannot be acquitted of ungenerous harshness to his illustrious prisoners. It is evident, however, that his exasperation against his ecclesiastical enemies was extreme. The letters in which he announces his success to the king of England and to other

⁵⁴ *Hist. Dipl.* v. 1121.

⁵⁵ *Post multas tribulationes marinas quas per septimane circulum sustinuimus.* This of itself is enough to prove that the battle was not fought at Meloria.

⁵⁶ *Rich. of San Germ.* p. 1046.

⁵⁷ P. 381.

⁵⁸ Description by Thomas, chaplain of Cardinal Rainier, quoted in a manuscript of Matt. Paris.

⁵⁹ Matt. Paris, p. 381.

princes⁶⁰ represent the capture of the prelates, and especially of the bishop of Praeneste,⁶¹ as a solemn judgment of God.

The pope meanwhile had received letters both from the republic of Genoa⁶² and from some of the prelates who had escaped,⁶³ written from Genoa a week after the catastrophe. The Genoese authorities display considerable apprehension of the pope's anger, and endeavour to make the best of the disaster. Their fleet was peacefully voyaging along, they say, when a body of Pisans and Sicilians, enemies of God and of men, set upon them (one would think from this that they had never heard of the fleet collected to stop them), and though the Genoese fought valiantly (sinking three galleys), yet the enemy by the permission of heaven prevailed. By the grace of Jesus Christ the small vessels escaped, and also seven galleys with many of the prelates have returned safely. They *hear* that the bishop of Praeneste has also escaped, and hope it may be true; also they think that other galleys will come in; *four*, however, they know have been captured. They express great sorrow and much devotion to the Holy See, inviting the pope to come to Genoa, and promising to exert all their strength to avenge the defeat. In the letter which presumably accompanied theirs, from the bishops, a postscript is added, by the suggestion it may be supposed of the authorities, testifying to the zeal and fidelity of the Genoese—for the future. The vexation of the pope at the frustration of his plans (for after this the council was no more thought of) must have been very great, and all the more because he had written strongly to the legate at Genoa in March⁶⁴ to warn him that the fleet prepared was insufficient, and to bid him take every precaution and provide too many ships rather than too few. In the first letter which he writes to the prelates in prison,⁶⁵ dated June 14, he displays some natural irritation against Gregory for not having paid attention to his warnings.⁶⁶ He praises the prelates for their obedience to his summons, and consoles them in their sufferings; but neither the one nor the other letter⁶⁷ which he wrote to them contained much solid comfort; for while praising their devotion and encouraging them to constancy, he says no word about peace with the victor.

⁶⁰ *Hist. Dipl.* v. 1125.

⁶¹ *Prenestinus episcopus, nostri honoris et nominis obrectator, qui rapacem lupum sub ovina pelle tegens, &c.*

⁶² Rayn. ann. 1241, §§ lx.-lxiii.

⁶³ *Hist. Dipl.* v. 1120 (from Raynald. § lviii.).

⁶⁴ *Ib.* v. 1106.

⁶⁵ *Ib.* v. 1136 (from Raynald. § lxviii.).

⁶⁶ *Debet deplorari quod G. de Romania, informatus per literas nostras de partis adversae potentia, tot cum potuerit juxta mandatum nostrum galeas non habuit quod hostium elisis insultibus transitus vester Christo praevio ab omni discrimine fieret expeditus.* Milman's reference to this, 'The pope expressed great anger against the Cardinal Gregory of Montelongo for not having' &c. is almost as inaccurate as it can be. The anger expressed is not great; the person referred to is not Gregory of Montelongo, but Gregory of Romagna, and neither of the two was a cardinal.

⁶⁷ Rayn. § lxxi.

Frederick had turned aside from Bologna⁶⁸ on hearing the news of the capture, and directed his march at once towards Rome. On June 20 he wrote to the senate of Rome⁶⁹ expressing a desire to settle his quarrel with the pope without delay, in order that he might turn his attention to the Tartars, who were now threatening western Europe,⁷⁰ and on July 3 he sent his well-known and interesting circular to the princes of Christendom on the subject of the Tartars and their invasion.⁷¹ Some negotiations for peace were carried on with the pope, who now perhaps showed signs of yielding. To hasten the progress of these, Frederick came round to the south of the city, and in August, after capturing Tivoli, he established his head-quarters at Grotta Ferrata. The aged pope,⁷² shut up within the city in the time of the greatest heat, fell ill, and on Aug. 21 died, leaving the temporal power practically destroyed by the policy to which he had so obstinately clung, but to the end unshaken in his determination, and convinced that the storm-tossed bark of St. Peter would ultimately emerge from the danger. The letters which summoned the council had been dated from Grotta Ferrata in August 1240, and now in August 1241 the emperor was writing from the very same place⁷³ announcing to Christendom that the divine judgment had struck down his enemy within the limits of the imperial month. Notwithstanding the many injuries which he had received, he was sorry, he said, that Gregory had died before peace was concluded between the Roman empire and the church his mother. He trusted, however, that a pope might now be raised up who would be disposed to give to the world the blessing of peace; and if the successor of Gregory IX should be such a one as this, he would desire above all things to defend and support him.

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⁶⁸ Faenza had capitulated on April 13.

⁶⁹ *Hist. Dipl.* v. 1139.

⁷⁰ As soon as the quarrel was ended by the death of Gregory, he sent Enzo with a large portion of his army to assist Conrad in Germany.

⁷¹ *Hist. Dipl.* v. 1148.

⁷² The pope was old, no doubt, but hardly so old as is commonly thought. He was nephew of Innocent III, who was born in 1161. If Gregory at the time of his accession to the papacy in 1227 was eighty years old (as is commonly said), he was born in 1147, and was fourteen years older than his uncle, which is extremely unlikely, to say the least of it.

⁷³ *Hist. Dipl.* v. 1165.

Archbishop Warham's Visitation of Monasteries, 1511

SINCE the publication of Dr. Jessopp's volume of 'Visitations of the Diocese of Norwich, 1492-1532,'¹ the general nature of the results that may be expected from a further study of these documents is now well known as far as that period of monastic history is concerned. But although the complaints brought to light in Warham's visitation of the diocese of Canterbury are remarkably similar in character to those of the Norwich visitation, fresh evidence for different districts is still desirable, and even if the publication of these documents be not otherwise useful, they at least give precise details on the number and names of the inmates of many houses which cannot be obtained elsewhere. Some account of Warham's visitation, is, however, specially desirable since the statements made by Mr. Froude² are misleading and have been copied by others. Speaking of Morton's visitation, 1499, he says, 'Evils so deep and abominable would not yield to languid treatment; the visitation had been feeble in its execution and limited in extent. In 1511 a second was attempted by Archbishop Warham.'³ This inquiry was more partial than the first, yet similar practices were brought to light: women introduced to religious houses; nuns and abbesses accusing one another of incontinency; the alms collected in the chapels squandered by the monks in licentiousness. Once more, no cure was attempted beyond a paternal admonition.'

These statements are not warranted by the manuscript evidence of 'Warham's Register'⁴ to which Mr. Froude refers. In one monastery only, Faversham, is there the complaint made that women have access to the cloister and refectory, 'and are not shut out as in other monasteries;' and an injunction is issued that they are not to be admitted, and that no monk is to speak to any woman in the nave of the church. There is not a single charge of any kind of immorality brought by one monk against another. One such charge is brought by a prioress against her nuns (St. James', Canter-

¹ Camden Society, 1888.

² *History of England*, ii. 309.

³ He refers to *Warham's Register*, manuscript, Lambeth.

⁴ Lambeth Library, in the volume marked 1503, f. 35 a.

bury⁵) but as will be seen below it is of a perfectly frivolous character. Of money of any kind 'squandered in licentiousness,' there is no hint. The seventeen establishments visited contained altogether one hundred and forty-seven monks, ten novices, and twenty-six nuns in four houses. The numbers are certainly small, eighty of the one hundred and forty-seven being monks of Christchurch, Canterbury; but as the small houses were believed to be the worst managed, the absence in this district of any charges of a gross character is of importance. The complaints made by inmates of the Norfolk houses (of which, however, a larger number were visited) are of a much worse kind. It is, of course, quite possible that the visitations do not give a fair picture of the life even of the monasteries visited; yet the rambling and gossiping answers of the witnesses, who were taken secretly and separately, bear obvious traces of human nature. Still though the brethren and sisters are very human in their complaints, and were there to complain, backbiting and slander do not seem to have produced any very serious charges in the monasteries of Kent. Setting aside, however, the broad issue of the state of morals in religious houses at the beginning of the sixteenth century, much information is afforded about other aspects of the religious life at this date. It becomes fairly obvious from such answers as are given here, that what the inmates chiefly cared about was the amount of their pocket-money or 'stipend.' One answer gives it as a plain fact that the examinee knows no one will enter that house for choice, because the pension is paid to each monk in kind, not in money. The conception of community of property as an element of the monastic life had been entirely dismissed, and the amount of the monastic endowment became an important consideration in choosing a house as an abode. Though there is nothing in these complaints that points to luxurious living, grumbling at the food and drink is usual. Meat is no longer prohibited, and the monks direct their attention to the way in which it is boiled and roasted. The services of the house are no longer undertaken by its inmates, the butler is in two cases not a monk, and the nuns in one house complain that not one of their body will undertake the office of 'Convent Servant,' and all their weekly 'stipends' are reduced because they have to get a woman in from the town.

I have contented myself with giving an abstract of the testimony which was brought forward as an illustration of the character of monastic life.

The formal matter of the visitation of Christchurch, Canterbury, consists of, first, the mandate directed to the prior and chapter, in which the archbishop gives notice of his intention to visit the metropolitan church of Christ, the prior and monks and others

⁵ This nunnery is not named in Dugdale. It was founded for leprous sisters: see below.

leading the religious life there, the clergy and people of the city of Canterbury, both in head and in members, to the honour of God and for the salvation of souls. He proposes to correct those defects which shall be discovered to require reformation. He therefore cites the prior and all the monks of the church with those leading the religious life there to appear before him in the chapterhouse of Christchurch on Tuesday next after the feast of the Nativity of the Blessed Virgin Mary, namely, 9 Sept., and on as many days following as may be necessary. The archbishop defends his right of visitation by inhibitions. The prior and chapter are to give in the names of those cited, distinctly and fully, in a schedule attached to the citation. The mandate is issued at the manor of Knole, 17 Aug. 1511. Secondly, the prior and chapter certify the names and surnames of the monks of the cathedral church under the common seal of the prior and convent. They acknowledge the receipt of the mandate and quote it in full. Then follows the schedule containing the names of the monks and novices.⁶ On 9 Sept. the archbishop began his visitation in person in the chapterhouse after the prior had solemnly celebrated mass.

A sermon followed, the preacher is named and his text quoted. The sermon over, the prior showed the schedule of names which was publicly read aloud by Cuthbert Tunstall, doctor of laws and chancellor of the archbishop. The archbishop then proceeded to examine singly and secretly the prior and monks. Their com-

⁶ They are:—John Broke,¹ James Burton, John Lee, Richard Marchall,² Henry Northgate, Richard Copton, Richard Deryng, William Chichele, John Salisbury, Henry Addisham, William Ingram, John Goldynstone, William Molasch, John Waltham, John Menys,² Thomas Ykham,³ John Antony, Roger Benett, John Sudbury, William Chartham, Thomas Asche, John Dunston, John Hensfeld, Nicholas Clement, Alexander Stapull, Thomas Anselme,² John Apuldore, Thomas Goldwell,⁴ *in studio Parisiensi*, John Burne, John Dover, John Garrard,² Richard Feversham, William Wynecheppe,² William Gyllyngham,² *in studio Parisiensi*, Richard Bokyngham, John Wykham, John Langdon,² William Taylor, Nicholas Hulle, Thomas Lee, John Crosse,² Thomas Hawkerst, John Wednysborowe, Edward Bokyngham *Oxonie*, John Schepey, John Newbery, Walter Hartford, James Hartey *Oxonie*, Richard Tonge, William Croston, William Sellyng *Oxonie*, William Hadley⁵ *Oxonie*, William Farley, William Bredgar, John Morton, Thomas Goldstone,² Thomas Bekett,² John Oxney,⁴ William Wyngham, John Wynchilse, Anthony Horden *Oxonie*, Jasper Copton *Oxonie*, John Elphe,⁴ Robert Boxle,⁵ Robert Fonteyne, Gervase Crambroke, Roger Estray, John Elham, William Pelham, Thomas Wylfryd,⁴ Guy Chillynden, William Lichfeld,⁴ Richard Godmersham,⁴ Richard Bonyngton,⁴ Nicholas Harste,⁴ John Holyngborn, Edmund Marchall, John Lamberherste,⁴ John Aschford [in all seventy-nine names. Of these probably not all were resident, six were at Oxford, two pursuing their studies in Paris.] There were also eight novices, not professed, Richard Thornden,⁴ Laurence Nunam, William Petham, Robert Otford, John Sarisbury, Robert Holden, John Charte,⁴ and William Sandwich.⁴

¹ The spelling of the surnames is that of the manuscript. Where two versions are given, and one agrees with the modern form, the modern is accepted.

² A monk at the time of the dissolution.

³ Third prior at the dissolution.

⁴ Monks at the dissolution.

⁵ Boxley. Dugdale, i. 112. Master of the table at the dissolution.

plaints are not given. On the following day, the archbishop, sitting in the chapter-house, ordered the prior and monks of the church holding offices to give in their accounts of the state of the house by 1 April. There were present, besides the prior and chapter, Cuthbert Tunstall, the archbishop's chancellor, Thomas Baschurch clerk, and William Potkyn, public notary. The archbishop then gave power to Thomas Goldstone, prior of the monastery, Thomas Yekham, preceptor, John Waltham, granger, John Salisbury, master of the table, William Ingram, penitentiary, John Dunston, granger, and John Bukyngham, fourth prior, to reform those general defects discovered in the said visitation.

Then follows an inquiry into the chaplaincies of the diocese which does not belong here. The remaining visitations are all similar in form to that of Christchurch with the addition of the injunctions. They begin with the mandate, which is followed by the citation, the reply to the mandate, the schedule of names of members of the house, the date of the visit, in what part of the house the meeting was held, the name of the preacher and his text. After the citation, sealed by the common seal, has been read aloud, the visitation proper begins, the complaints of each inmate are heard, and injunctions issued for the correction of abuses. The proceedings end with a notice from the archbishop that the visitation will be renewed on a certain day or any day sooner or later that it may please him to appoint.

Canterbury. St. Gregory.⁷

Thomas Well or Welles, for six years prior, was examined on the condition of divine service, on the observance of the rule of St. Augustine, and on the number of the brethren.⁸ Walter Canterbury, subprior, says that William Tailor is fond of squabbling with the brethren, in his office as precentor. He fears that if he is allowed to remain in office there will arise much contention among the brethren. In the absence of the prior and subprior, he acts as president of the chapter; there are others better fitted for this office. The subprior says further that the prior does not give the items of his account to the brethren, it is a general and not a special account. If the brethren may not inspect the account they do not know the state of the priory. William Dover, Edmund Faversham,

⁷ Thomas Welles (*Episcop. Sidon*; Dugdale, vi. 614) is the prior, Walter Canterbury, subprior; the monks are William Dover, Edmund Faversham, sacrist, William Tailor, precentor, John Cambridge, Stephen Cobham, Dunstan Northgate, William Braborne, William Hadely *est studens Cantabriggie*, ten in all. The sermon at the visitation was preached by John, bishop of Cyrene.

The archbishop of Canterbury had founded the house. Lanfranc had ordered it to maintain six secular priests and twelve clerks. Archbishop William in the time of Henry I made it a House of Canons Regular.

sacrist, and William Tailor, precentor, agree with the subprior about the accounts. John Cambridge says the prior will not give the account in writing, but only verbally. He says also that one John Humfrey, butler,⁹ gives the brethren very poor beer (*servisiam nimis tenuam* [sic]), contrary to the prior's wish. He agrees with the subprior about the preceptor. Stephen Cobham says the precentor is a great sower of discord amongst the brethren, and is unfit for his office as he does not know how to sing. Dunstan Norgate or Northgate says the same. They have also no bell-ringer, so that the brethren are absent from divine service not knowing the time. The *injunctions* order the prior to observe his rule and to show his accounts annually in writing to the brethren, and all other officers are to do the same. The accounts must also be shown to the archbishop on 1 April, together with an inventory of all the goods and the jewels of the priory at the time of his accession to office. The prior is to tell Tailor not to squabble, on pain of removal from his office.

St. Sepulchre.

The third mandate is addressed to the prioress and convent of nuns of St. Sepulchre, Canterbury. Mildred Hale is its prioress. The rule followed is that of St. Benedict. The prioress says they do not rise for matins in the middle of the night but at dawn, because the doors of the cloister are being mended, and the roof is being covered, and there is so much noise outside the church. Johanna Hamstede agrees with the prioress. The other four nuns are Agnes Stabilgate, Margaret Isacke, Katherine Preston and Philippa Jane.¹⁰ The *injunction* orders proper accounts to be given.

St. James.

The house of Sisters of St. James or St. Jacob¹¹ outside the walls of Canterbury is visited by Tunstall. Dame Agnes Yuys, the prioress, is seventy-four years old. They do not have bread and wood as they ought to have, owing to the fault of the subprior of Christchurch, Canterbury. They said this before in the last visitation of the house in the presence of the said commissioner. The prioress complains that Richard Welles stays to talk in the precincts of the house, and his wife sells beer in the precincts. They are very quarrelsome people, brawlers, and sowers of discord. There is always a crowd of people at the house of Richard. Joanna Chambers is eighty-four years old, and has been forty years and more a sister of the house. Alicia Bromfield is

⁹ Not in the list of monks.

¹⁰ The last prioress. Dugdale, iv. 414.

¹¹ This house is not named in Dugdale. It is given in the *Bib. Topog. Brit.*, in Duncombe and Batteley's *Antiquities in Kent*, p. 428, as a hospital for twenty-five leprous sisters, a prioress, three priests, and a clerk.

eighty, a sister of eighteen years' standing, Editha Keme is thirty-six, Joanna Croche fifty, of fourteen and three years' standing respectively, all examined singly, say the prioress is a 'diffamatrix' of the sisters. She says publicly in the neighbourhood that they are incontinent '*et publice meretrices*,' to the great scandal of the house. The *injunctions* order the prioress in future not to use contumelious words to the sisters, neither publicly nor privately. To all the sisters it is enjoined to be obedient and attentive to the prioress as their statutes and profession require.

Wengham College.

The next visitation is that of the Prior and Canons of Wengham¹² College, 16 Sept. Henry Ediall, prior, examined, says the foundation is for eight vicars choral, and now there are four.¹³ Next that each canon at the end of the first year of his residence is bound to give to the college an 'ornament.' Also each canon ought to serve his term of residence in his own house and at his own table, which none observe. The house of Ambrose Payne, a canon, is in need of repair and in fact very ruinous. The prior has two incompatible benefices, and has to show a licence to hold in plurality at Lambeth at his next coming. William Roger, chaplain of Asshe, is found to be a Cistercian monk of Boxley, in the diocese of Canterbury. Though he showed his abbot's licence, he may not dispense with the monastic habit. John Joliff, professed of the monastery of Evesham for fourteen years, showed a papal dispensation to drop the monastic habit, but the archbishop did not admit him to do so. One Brother Christopher is warned in future not to celebrate in the chantry of Asshe but to return to his cloister. The rest of the visitation of this collegiate church has no connexion with monastic history.

St. Martin's, The New Work, Dover.

The next mandate is directed to the Prior and Convent of St. Martin's, The New Work, Dover.¹⁴ Thomas Shrewsbury,¹⁵ professed

¹² MS. Wyngham. Dugdale, vi. 1341, says it was originally founded for ten canons or prebendaries, afterwards reduced to six.

¹³ The canons are Ambrose Payne, Thomas Kery, John Williams, Robert Wodward, Thomas Diyfeld, and Robert Cowpar. The vicars choral are Thomas Bartelott, John Millett, John Gellyff, and Robert Dobbys. The pensioner is Thomas Pennorke, alias Glover. The choral clerks, John Beche, Richard Banes, John Morys, William de Latours. The wardens, Edward Oxenden, Thomas Pynder. The parishioners, John Berys, John Perys, Thomas Morres, and Richard Skelton.

¹⁴ Founded 1139. A cell to the Priory of Christchurch.

¹⁵ The prior is John,¹ Bishop of Cyrene. Thomas Shrewsbury is subprior, and the monks are John Goodwyn, John Cornwell, chaplain, Richard Dover, cellarer, John

¹ Thornton or Thorden, suffragan of the archbishop of Canterbury. Dugdale iv. 530, note 1. The manuscript calls him *Episcopus Sironensis*. Stubbs, *Reg. Sac. Ang.* p. 146, gives him as bishop of Sirmium or Cyrene. He succeeded to Folkestone Priory 4 March, 1514, and died 1516.

for eleven years, says the monastery is in many places in ruins for lack of repairs. The officers of the town of Dover deprive the house of its mortuary fees. The brethren who hold office are allowed continuous access to the town. If they go, the prior warns them against eating or drinking there. John Goodwyn says the officers of the town do injury to the monastery. The cellarer and other officers have access to the town, so the monastery is defamed among the seculars, and they are enjoined not to go there. John Copledyke deprives the monastery of certain lands near Dover castle. Nicholas Templeman, mayor of the town, and its citizens last year damaged a mill and diverted the course of water belonging to the monks. This mill and water belonged to the monastery from its first foundation. The last prior laid the monastery under a debt of ten pounds to William Marchall for an annual pension to last during Marchall's life.

The result of the visitation was that a memorandum was made that William Marchall, vicar of Apledore, be asked to show the assignation of his pension at Aldington. All those with offices which are held *ad compotum* are to give an oath to render accounts faithfully, both those now elected and those elected in future. The mayor and citizens of the town do injury to the monastery by depriving it of the mortuaries of the church of St. Martin in the town. John Cornwell says the same about the mortuaries. They belong to the monastery from its first foundation for the repair of the chancel of the church of St. Martin, which the prior and convent are still compelled to repair. One Thomas, rector of Charleton, deprived the house of its tithes due from the parish of Buckland. Richard Dover, cellarer, John Canterbury and John Elham, third prior, say the same about the mortuary fees. William Hethe says there are three novices who are not taught grammar, and that there is no teacher but the subprior; he reads the Gospel twice a week to them, and nothing else. He makes the same charge against John Copledyke as does Thomas Shrewsbury. Richard Bourn, precentor, says the lands and tenements of the house are in ruins and its emoluments diminished on account of the negligence of the present prior's predecessor. Alexander Dover, novice, says that the third prior punishes for very slight offences, and charges them with groundless offences (*et finxit contra eos nonnullas offensas indebite*). Another complaint is that they have linen sheets (*lintheamina linea*) and not of wool (*et non de stamyn*) according to St. Benedict's rule. They have no preceptor to teach them grammar. Thomas Colman and Thomas West, Wescot or West-

Canterbury, John Elham, third prior, William Hethe, sacrist, Richard Bourn, precentor, Alexander Dover, Thomas Colman, Thomas Wescot. Thomas Elham and William Saltwood, '*agranter in aposteria*.' The house belongs to the Benedictine order. It was read 18 Sept. and the prior bishop was examined.

court, both novices, make the same complaint that there is no teacher. Westcourt complains that they sleep in linen sheets.

The *injunctions* order the prior not to let his brethren go into the town or city of Dover without his special licence, or, in his absence, that of the subprior, and if any of the officers go out, for instance, the cellarer or other officers for the convenience of the monastery, they are not to eat nor drink in any house lest there arise any dissension between them and the officers of the town. All the canons after they have retired from the refectory are to go immediately to the dormitory according to the rules of their order, and if any officer be absent for a legitimate reason, he must not be outside the dormitory after the eighth hour of the night without the prior's leave. The reverend father enjoins on the monks singly that they do not go to the town except as above directed, under pain of excommunication. The prior must not give leave for this purpose to any monk, except for urgent and legitimate cause. To the monks the order is given to go to the dormitory before the eighth hour, *i.e.* immediately after they leave the refectory. The officers who ought to render accounts are enjoined to do so faithfully and annually under oath taken on the Holy Gospel in person at the time of their first admission to any office.¹⁶ The prior is to provide an instructor to teach the novices and monks grammar immediately, if he can do so conveniently. The novices are to do work in the grammar school three days in the week. The monks are on no account to use linen, but woollen both for sheets and for shirts (*nullo modo utantur lineis sed stamyniis, tam in linthiaminibus quam camisiis.*) The prior and officers are again enjoined to make a full and true account of the state of the whole monastery, and an inventory of all the goods, jewels, and ornaments, which inventory is to be shown before the octave of Easter.

God's House, Dover.

The next mandate is directed to the Master and Fellows of God's House, Dover,¹⁷ which was visited Sept. 20.¹⁸ The archbishop warned Simon Tempilman that he was not to celebrate mass or fulfil

¹⁶ In 1535 the commissioners spoke well of the house, though Layton says 'the prior of Dover and his monks be even as others be, but he be the worst of all.' (Gasquet, *Henry VIII and the English Monasteries*, i. 364.) The commissioners said :—'The House of Dovour is a goodly house and well repayred in all places, as far as we coud perceyve; an that the prior (as itt was reported unto us) ffound the house att his flyrst comyng thither indented in ixth li, and hath reduced and brought that to cli as itt is said, of whose nowe case dyverse of the honest inhabitantes of Dovour shewe them selves veray sorry.' Wright, *Suppression of the Monasteries*, p. 89. Thornton then was no longer prior. The quarrel with the Dover citizens seems to have been made up.

¹⁷ Hospital of St. Mary, Dugdale, vi. 655.

¹⁸ The master is John Clerke; the *socii* are the following :—Vincent Barley, Thomas Fuller, John Hebyng, John or Thomas Knight, John Salter, brethren and priests.

any ecclesiastical function in the diocese of Canterbury or elsewhere, under penalty of excommunication, after next Michaelmas. Then afterwards this Simon obtained a certain dispensation to obtain a benefice, and was instituted to the benefice of Leigh in the diocese of Rochester. Simon appearing before the reverend father in the chapter-house of God's House at Dover, begged to be admitted to the brotherhood of that house, and to have a stall in the choir and a place in the chapter, saying that he wishes when he pleases to reside in his benefice, and when he pleases in the said house. The reverend father then asked the master and brethren of the said house, whether they wished to receive him into their house as a brother according to his petition, to which all the brethren and the master, examined separately, said that at the time when he was in that house and was a brother, he was so quarrelsome, brawling, and litigious with the master and his brethren, that religion could not be properly observed in a laudable way, and there could be no charity amongst the brethren, and therefore the said master and brethren humbly beg the reverend father then and there not to admit him as a brother to the house, fearing that if he be admitted, there may be a total dissolution of charity amongst them in future. Then the said reverend father warned this master Simon, that immediately after the vigil of St. Michael next ensuing he might enter his parish church aforesaid, but that he should not undertake any service in the diocese or immediate jurisdiction after the said vigil, and that any service already accepted he must leave immediately after the said vigil. Vincent Barley, brother of the said house, examined, says that whereas according to statute, brethren of the house should have an annual meeting (*toga*) to announce their pensions, that meeting is not held. Thomas Fuller says as Barley deposes, and also that the master tells them the state of the house verbally only, not in writing and does not give the particulars. John Hebbyng, Thomas Knight, and John Salter all say the same. The *injunction* orders the master to communicate to each of his brethren the amount of their 'exhibitions' in a congregation (*toga*), and that he certify the same to the reverend father before the feast of All Saints. He must also give proper accounts.

Folkestone.

On 22 Sept. the Priory of Folkestone¹⁹ was visited. William Weston, a monk there, says that he was first professed of the order of St. Augustine in the monastery of the Blessed Mary of Overey, in Winchester Diocese, and then of the order of St. Benedict at Westminster in the presence of James Burton, now a monk of Folkestone, and administrator of spiritual and temporal goods by

¹⁹ Of the order of St. Benedict. Dugdale, iv. 672.

the authority of the Reverend Father before the next feast of All Saints. James Burton without any delay certified the said reverend father in writing of his letters licensing him to migrate from his diocese (*litteris dimissorialibus*). Thomas Seale was professed, as he asserts, of the order of St. Benedict in the monastery of Bermondsey, in Winchester diocese. He is ordered to show his dimissorial letters and the above-named James Burton is to do the same to certify that all is correct. John Carter was professed as he asserts of the Premonstratensian canons in the monastery of St. Rhadegund in the diocese of Canterbury, and then was professed of the order of St. Benedict in the monastery of Folkestone. He also is to show his licence. James Burton is hercupon enjoined to make a full and true account and inventory.²⁰

The College of Wye.

The mandate to the Master and Fellows of the College of Wye gives the name of the master, John Goodhew, who showed his letters of ordination, collation, and institution to the parish church of Staplehurst. A note is made that he has no papal dispensation for two incompatible benefices. Thomas Martin is *conductus* and William Gowlaw or Gowrlaw is a Scotchman (*scotus*). It is discovered that the Master of the College frequents in a suspicious way the house of John Stephens of Herne Hill in the deanery of Ospring. A note is made that there are diverse *detecta* against him as appears in the bills of the deanery of Ospring, of which the Canterbury commissioner has copies.²¹

*Davington.*²²

Matilda Awdeley is prioress and shows her inventory. They have rents to the value of 31*l.* 14*s.*, besides demesne lands which they hold and cultivate, to the value of 10*l.* a year. The house

²⁰ In 1535 the commissioners speak well of it: 'The house of Folkston is a littill house, well repayred, and the prior a veray honest parson, and a veray good husbond, and no les belovyd amonges his neypours' (Wright, *Suppression of the Monasteries*, p. 89). But Dr. Layton found the prior (Bassett) a most iniquitous person (Gasquet, p. 364).

²¹ Thomas Rogers, *socius*, Thomas Penycoke, *curatus*, William Gowlaw, Thomas Martin belong to the house. The names of the clerks are Richard Mount, John Bate, John Freman, Thomas Densse; the names of the choristers, Nicholas and Richard Freman, Robert Weever, and John Maister. The visitation was held 25 Sept. in the 'vestibule.'

²² Davington or Daunton, near Faversham, of the Benedictine order. The nuns had for some time suffered from poverty. 'At last, in the 27th of Henry the Eighth, it being found before the escheator of the county that neither prioress nor nuns were left in the nunnery to perform the services of the foundation, the house lapsed to the crown, *tanquam locum profanum et dissolutum*.' Dugdale, *Mon.* iv. 288. This mandate to the prioress and convent of nuns at Davington, dated 27 Sept., gives the names of nuns, Dame Elizabeth Awdeley and Elizabeth Bath, both professed; Agnes Clement and Elizabeth Rickard, not professed.

has to pay 20s. to the archbishop for board at the time of his visitation. Elizabeth Awdeley, professed at Cambridge, has been here twenty years. When examined, she says everything is done well in the house and according to their rule. Elizabeth Bath, professed of the monastery of Malling (Benedictine), in the diocese of Rochester, has been here ten years. On examination she says the rents and revenues of the house decrease owing to the guilt of the officers. As to other matters in detail all is well. Agnes Clement, not professed, has been there fifteen years and says all is well; Elizabeth Rickard, not professed, an inmate for ten years, the same.

[No injunction follows.]

God's House, Ospring.

On 28 Sept. the visitors were at God's House, Ospring, in the diocese of Canterbury. Master Woodruff, *sacre theologie professor*, is its warden. He says he believes that in the first foundation of the hospital the warden and fellows thereof were priests professed of the order of the Holy Cross (*cruciferarii*) and that they used to wear the cross on their shoulders. Forty years ago one Master Darell, brother of John Darell, Knight, was warden of the hospital. In the time of his incumbency he and the three priests, his *consocii*, were professed and used to wear the cross. The present warden says that one of his *consocii* obtained papal leave to procure a benefice, and has done so by means of papal letters. The new master, Robert Woodruff, was appointed by the king as former custodians had been.²³

*Faversham.*²⁴

The mandate to the Abbot and Convent of Faversham is dated 30 Sept.²⁵ The prior, examined on the state of the house and on its observances, says that the alms of victuals and drink bestowed on the poor have been taken away by the monks, so that they are not given bountifully and largely to the poor, but are distributed at one time or another amongst friends of the monks, according to the decision of the monks. Women have ingress to the cloister

²³ Who granted it to St. John's College, Cambridge. 7 Hen. 8. It was for a master and three regular brethren, and two secular clerks. Dugdale, vi. 764.

²⁴ The house was founded 1147, for a convent of Cluniac monks brought from the priory of Bermondsey. The abbot was John Shepey, *alias* Castelocke, the last abbot of Faversham, from whom the commissioners of 1535 tried to wrest his house on the ground of his advanced age. Wright, *Suppression of the Monasteries*, p. 103.

²⁵ Robert Faversham is prior, the monks are John Preston, William Goodwynstone, chaplain, William Bidenden, subprior and chanter, John Boughton, sacrist, Thomas Lenham, cellarer, Thomas Bermondsey, subchanter, Thomas Ware, William Barley, *refectorarius*, Robert Bendish, John Hartey, subsacrist, William Harnehill and Thomas Sellygn (thirteen in all).

and to the refectory, and are not shut out by doors or gates as in other monasteries. A note is made to inquire into the number of monks according to the scheme of the foundation. John Preston, aged fifty-six, examined, says the old stipend is no longer paid in money, according to old custom, but in clothes. He begs that he may be relieved of the burden of his duties in the choir, for he stands professed of the said monastery forty-one years. William Bidenden, subprior, says the same about the stipend. Yet, he says, this payment in clothes and other necessities exceeds in value the sum of money paid them of old. But, he says, some avoid entering religion in that monastery because the stipend is not paid in money. He knows in this monastery sixteen professed monks, and has been there himself sixteen years. John Boughton, professed for fourteen years, says food and drink are not properly given to them in the refectory as they should be. He agrees that the new 'exhibition' is worth more, but complains that they have nobody deputed to give them out clothes except the abbot, so that if they lack shoes or anything of the kind, they must all have recourse to the abbot, to whom they think they ought not to go, but rather to an inferior person. If the stipend were paid in money, they would get a certain addition from their friends, which now they do not have, as all goes to the abbot. Thomas Lenham, cellarer, knows seventeen professed monks. He has been professed fifteen years. He agrees with Boughton on the impropriety of going to the abbot for clothes, *quod non decet in animo suo ut dicit*. Thomas Bermondsey, ten years professed of that house, says he has been punished for an offence according to rule, but besides this the abbot has deprived him of all his money. Now he has not a penny for anything. He thinks it is too severe. He knows sixteen monks professed there. Thomas Ware, professed of that house eleven years, knows seventeen monks. He says one Glover, butler (not a monk), is hostile to him and to almost all the monks in performing his office, and he was especially disagreeable at the time when the said Thomas was ill. William Barley says John Boughton is so *rixosus et contumeliosus* that he leads the monks into discord. He says each monk used to have certain mortuary fees in the said monastery. This money has been, and is still, taken away from them. Robert Bendisshe answered, as is shown in his bill. John Hartey, professed in that monastery, says that they have not enough clothing; for instance, each lacks a 'curtell' (*anglice*), and other provisions for keeping out the cold of winter. They do not have enough woollen shirts, nor in bed what are called 'straylles' (blankets), and whilst the clothes are at the wash they have to wear the same woollen clothes (*stamina*) in bed as they wore in the day. He says, further, that each monk should have one

noble for the *obit* of one Bilsington; this noble was taken away from the witness last year. William Harnhill, professed, says that one Glover, who is butler, conducts himself badly in the convent—not as a servant, but rather as a master—he often makes complaints against the monks without cause; for instance, a certain monk sent a letter (*misit literam missivam*) to his parents by the said Glover, and he forthwith showed it to the abbot, pointing out to the prejudice of that monk that he should not have sent it. He says, also, that each monk in priest's orders used to have 40*d.*, and each other monk 20*d.*; this was taken away from them last year. Robert Bendisshe and John Hartey do not give in their memoritoria as religious men should, but they make up a book, and this is accepted as an acquittance of their returns. Thomas Sellyng, examined, says the cellarer does not provide good food for the refectory, and that the meat there is underdone, and only half roasted (*carnes sunt vix semicocte et semiasarte*). He says that Bendisshe is a blockhead (*hebetis ingenii*) and a poor scholar (*parum eruditus*), and that he is exempted from returning an account of his rents.

The *injunctions* order the abbot and convent to distribute alms in food and drink. Women are not to be allowed to come into the cloister, and no monk is to speak with any woman in the nave of the church. The abbot is to appoint a chamberlain, who shall provide the convent with the necessary clothes; it is too inferior an office for the abbot. Sufficient food and drink, and properly prepared, are to be provided in the refectory, especially on fast days. Each monk is to have two *stamina* and two 'strayles,' both for shirts and for blankets. The abbot is to give John Bermondsey the money which belongs to him from the obit of Bilsington. The abbot is enjoined not to exempt any from giving accounts, *anglice* Rendryng (put in, we may suppose, for the benefit of the ignorant Bendisshe). The abbot should distribute to each monk his share of the money gained from the burials or obits of the dead. William Boughton is warned to conduct himself modestly and charitably towards the brethren in future. The abbot is ordered to make Glover, the butler, behave himself better to the monks. The abbot is enjoined to let John Bermondsey enjoy the same liberty as the other brethren enjoy. Then the archbishop warns the abbot to give in his account of the state of the house before Easter next.

*Leedes.*²⁶

The mandate is to the Prior and Convent of the house and priory of the Blessed Mary and St. Nicholas at Leedes.²⁷ Richard Chetham, prior, says that all things are well observed

²⁶ House of Austin Canons.

²⁷ Richard Chetham is prior. The remaining *fratres* are John Bredgar, formerly

according to his commands. John Bredgar, formerly prior, is vicar of Marden at a distance of six miles from the monastery, and rarely comes to the monastery, but he says he thinks all things are well governed in that monastery. Thomas Vincent, subprior, says there is much that has been and has to be reformed in the house by the prior and subprior. John London is vicar of Stockbury. John Goldstone, professed of the house thirty years, says he performs the divine offices in the parish church of Bilsington which is appropriated to Bilsington priory. John Leicester, professed for thirty years, says that all is well, and so does Thomas Harietsham, professed of the house. Thomas Langley says the prior has taken away certain lights in the chapel of the Blessed Mary, for there were once ten wax lights burning before her image, and now the prior furnishes only five.²⁸ The prior admitted William Parys, a Frenchman, to the brotherhood of the priory without the consent of his brethren. The prior sends a scholar to study [at the university] without consulting the brethren; the seniors ought to be convoked for that purpose. Further he says that what ought to be given for the souls of the founders is not distributed amongst the brethren. The prior presents chaplains to benefices without the consent of the brethren. He begs that the prior may not get the monastery into debt for lambs, mills, nor for repairing a bridge and especially the bridges of Rochester and Borstal.²⁹ F. Thomas Egerton, examined, says that the prior does not punish his brethren according to the rule of St. Augustine but according to his own will, with passion, and by chastising them he does not correct but only excites them to anger, and if the brethren resist him in the punishings, the prior calls them all into the chapter-house and proclaims them heretics. He does not treat the brethren with fatherly love. Egerton begs that the prior may not seal with the common seal without the consent of the seniors.

J. Wodroff, examined, says the same about the use of the seal. The prior takes away every week the fee of 12*d.* from the brother celebrating high mass, and does not pay him. The brother celebrating high mass should have weekly the sum of 4*d.* at the desire of William Clarke, as expressed in his will. The master of the grammar school receives certain moneys from the lands of master Clarke so that he teaches gratis. One Stephen Norton bequeathed to the brother celebrating high mass 4*d.* a week, and

prior, Thomas Vincent, subprior, John London, John Goldstone, John Leicester, Thomas Harietsham, Thomas Langley, Thomas Egerton, John Wodroff, John Fortte, John Tenterden, John Fyneux, Robert Renham, John Maideston, William Parys, Thomas Broke, Thomas Chetham, John Bromfield, Robert Ledes, Archelaus Comberland (twenty in all).

²⁸ The church was celebrated for this figure of the Virgin Mary. Dugdale, vi. 216.

²⁹ *Boston MS.*

the prior takes the money away contrary to the wish of the dead man. He begs the archbishop will ordain that the prior must give a licence to the brethren to have access to the person of the archbishop for the purpose of securing reforms, the licence being first procured of the prior. It was thus established by the Lord Cardinal Bourchier, but the statute has been erased from the book, and John Maideston supports this. The infirm brethren are not well governed and have nobody to look after them.

John Fortte, professed of the priory of Launceston, in the diocese of Exeter, has been three years in this priory. He begs he may be sent back to the priory of Launceston, and that the archbishop will write for him to the Bishop of Exeter, that he may authorise his return to Launceston. John Tenterden, John Fyneux, professed here eight years, Robert Renham and John Bromfield say all is well. John Maideston asks that the prior may correct in a more fatherly way, and not with so much severity. The prior does not make his account annually.

William Paris, a Frenchman, has been in the priory four years. He complains that the prior's accounts do not give details. The prior laid violent hands on him and kicked him (*subpeditavit*) and the prior forbade him to go to the lord [archbishop]. He begs that in future the prior may not apply his hands or feet to his brethren (*non mittat manus et pedes in confratres suos*). On Tuesday last John Bromfield laid violent hands on him. Robert Leedes and Thomas Chetham complain of the prior's rigour; the prior had whipped Leedes outside the chapter-house, in the refectory, and Chetham finds the brethren are punished too severely when they complain that the meat and fish are badly served. Archelaus Comburland is not professed; Thomas Broke is a brother of Bilsington, and has been at Leedes one year.

The *injunctions* order the prior to seal nothing with the common seal for which he has not the consent of the senior brethren, or at least without the consent of the larger and saner number of his brethren. He must give annually his account in writing to the brethren. The prior, subprior, and all the officers are to punish with fatherly love, not with rigour. The prior is to give licences to the brethren to appeal to the archbishop on questions of reform; a deputy from the prior is to accompany the brother who gets the licence. The prior is to burn ten wax lights before the image of the Blessed Virgin. He is to pay the sum weekly to the brother celebrating high mass from the bequests of Norton and Stephen Clarke, and 12*d.* weekly to the chaplain celebrating for the soul of Nicholas Potyn, as in the book of Henry Chichele, formerly archbishop, under a fine of 4*l.* sterling to the archbishop. The prior is to pay a teacher to instruct the more youthful of the brethren.

The visitation of the Prior and Convent of Bilsington³⁰ took place Sept. 24. Nothing is said about the condition of the house.

Shepey.

15. On Oct. 2, the visitors were in the chapter-house of the Prioress and Convent of Shepey.³¹ Agnes Revers, prioress, says all is in good order, except that she doubts whether Anicia Tanfeld, *cantarista*, behaves well to the sisters, and whether she provides properly for the observances in the choir. Being asked about the number of nuns in the convent, she says she has heard there were seventeen. She knew of fourteen; she herself wished to increase the number to fourteen (*sic*) if she could find any who wished to enter religion.

Agnes Norton, subprioress, says they have no maid-servant whose duty it is to serve the convent with food and drink and other necessities, but the house is served by a woman, an outsider from the town. There is no house for the infirm (*anglice*, Fermory), but those who are ill die in the dormitory. She knows of fifteen, nuns and has heard of seventeen. The gate of the cloister is closed too strictly, not only after supper, but at the time of divine service. The prioress does not give any accounts. Indeed she has never heard of any account being given. Anicia Tanfeld says that they have no maid called the Covent Servante, whose duty, as it used to be of old time, was to serve the nuns with food and drink and to wash their clothes, wherefore the stipend of every person in the convent is diminished. The gate of the cloister is closed immediately after the bell rings for vespers and remains shut until it rings for prime; this, in the opinion of the convent, is too strict, especially in summer-time, because it might remain open until after supper, as she says. The prioress does not render her accounts to the convent. They have no *domum infirmorum* (*anglice*, a Fermory). Elizabeth Chatok, *cantarista*, says they have no *famulam deputatam* (*anglice*, a Covent seruante), and makes the same complaint about the door, *clauditur nimis tempestive tempore presertim estivali*. Elizabeth Stradlyng says the same about the servant. There is no infirmary, but the prioress means to build one as soon as she conveniently can. The accounts are not properly rendered. She says the menservants of the prioress do not behave properly to the convent, but they speak of the convent contemptuously and dishonestly, thus ruining the convent.

Mildred Wigmor says the cloister door is closed before vespers. For lack of a servant their stipend is diminished 2s. a year, paid to the washerwoman, and the nuns cannot go out and fetch necessities. Dorothea Darell says the door of the cloister is shut

³⁰ Priory of Austin Canons. Dugdale, vi. 492.

³¹ Benedictine nuns.

directly after they have gone to vespers. Agnes Bolney says all is well. Anna Petitt notices the lack of (*anglice*) a convent-woman, who is wanted especially in time of sickness. However, one of the convent does serve them, leaving her place in the kitchen for the refectory. She agrees with Dorothea Darell that the prioress does not render accounts. There used to be seventeen nuns. When they are ill they have to hire women for themselves and pay them out of their own money. The door of the cloister is closed directly after the bell rings for vespers. Ursula Gosborn says all is well.

The *injunctions* issued by Cuthbert Tunstall, who conducted the inquiry, make the usual order that the prioress render accounts to the convent and to the archbishop with an inventory. She is to provide an honest woman-servant. She must make up the number of the house to fourteen as soon as she conveniently can,³² and build an infirmary at her earliest convenience, before any other buildings. The nuns must make the accustomed repair of the chancel of Bobbing before the Feast of St. John the Baptist's Nativity under the penalty of the law.

Maidstone.

The next mandate is directed to the Master and Fellows of the College of Maidstone, on 6 October; the prior and officers are warned to make full accounts and inventories, and the college is to show its right to the appropriations of Sutton, Linton, and Farleigh churches.³³

Cumbwell.

The last visitation belongs to the next year, 3 June, 1512. The mandate is to the Prior and Convent of the house or priory of canons at Cumbwell.³⁴ Tunstall was visitor and held his inquest in the chapter-house. He finds Thomas Patenden is prior, and has been for thirty-two years. He is examined on the articles of his religion and the state of his priory. John Halynbery, professed in the said house for twenty-five years, says all is well as far as he has noticed. John Sohepey, professed for thirty years, says the infirmary is in great need of repairs. Nobody is deputed to tend the sick. He has not enough clothes for his body. He had been ill two years and had not had the necessary food. He says also Roger Maidstone, canon, laid violent hands on him about the Feast of the Conception of the Blessed Virgin Mary last

³² At the dissolution there were ten nuns and the prioress, so a slight improvement had been made. Dugdale, ii. 50.

³³ Tunstall visited, examining in the vestibule. Master William Grocyn, B.D., is master, Giles Rede sub-master, Thomas Nicolls chaplain and fellow, Robert Ward the same, David Knowdisley seneschal and fellow and rector of Crudale, Thomas Hanson chaplain and fellow, John Cotyn the same.

³⁴ Order of St. Augustine.

year. A memorandum is made, that the prior never accounts for the state of the said priory in the presence of his brethren. Dom. John Lanny, professed for twenty-four years, says there is not enough to eat and drink, there is no provision for the infirm in the infirmary, and when they fall ill they must lie in the dormitory. The canons do not know the state of the priory, and the prior never renders any account. He had received from the papal court a capacity to receive a priory and also a benefice *in commendam*, and says he has done so with the licence of the prior. The capacity remains in the hands of the vicar of Ticehurst.³⁵ The manors of Benenden³⁶ and Thurnham³⁷ need great repairs owing to the neglect of the prior. They have not the necessary clothing, nor any money to mend what they have.³⁸ The prior and convent laid him under a debt of 40*l.* in an obligation without any condition to Robert Rede, justice of the king, and to a certain Weldysshe senior near Maideston, which obligation remains in the hands of the minister of Mottenden, and the convent arranged by a special mandate and request of the said prior so that the said house should not be indebted to the said Robert Rede and Weldysshe. John Lyndesey, professed there twenty-four years, says the infirmary is not repaired. Roger Maidston, deacon, professed there six years, says the infirmary needs repair, otherwise all is well as far as he has noticed, but there is not enough to eat and drink nor enough clothes. William Wadeherst, acolyte, professed six years, says there is no teacher of grammar.

The *injunctions* order a proper account and inventory. Sufficient repairs are to be made to enable the sick canons to use the infirmary before the Feast of All Saints. Suitable attendants are to be provided for the sick, and the canons must have enough food and drink and good clothes, according to the rule of religion, also there must be a teacher of grammar for the canons before the Feast of the Nativity of St. John the Baptist. The manors are to be repaired. The prior says the obligation made between Dom. Robert Reed and Weldysshe, remaining in the hands of the minister of the house of Mottenden, is cancelled. He is to show the cancelled obligation to the archbishop.

Here the visitation ended. Its list of complaints contains many that are ludicrously human—many that might come from any body of persons enjoying a state charity at the present day. They lend no support to the theory that the inmates of religious houses were steeped in inhuman wickedness. On the other hand, the decay of the monastic spirit is obvious throughout.

MARY BATESON.

³⁵ 'Tysehurst' in manuscript.

³⁶ 'Badmonden' in manuscript.

³⁷ 'Thornham' in manuscript.

³⁸ The house was dissolved 27 Hen. VIII as below 200*l.* yearly value.

Dr. Nicholas Sander

THE name of Dr. Nicholas Sander is hardly known except as that of the author of a work on the English Reformation. Nevertheless there is much that is curious both in his own fortunes and in the history of his book, no account of which seems yet to have been published. Moreover, though generally allowed to rank as an authority on the history of his times, his place as such has been left somewhat undefined. It may not be amiss, therefore, to look back at the man and his book, and to advert to the reasons which give it value.

A life study of Nicholas Sander might by itself form a tempting subject for a biographer. It is intimately connected with some great phases of English history, materials for it are plentiful, and it abounds in strong contrasts of scene. The quiet Surrey home and academic peace of Winchester and Oxford change to the splendours of Rome, Trent, and Madrid; these again are varied by diplomatic missions and ecclesiastical visitations in Prussia, Poland, and Austria, with pauses for literary work among the quaint cities of Flanders, while the curtain falls on a peaceful death-scene amid the horrors of a barbarous war. At present we must only glance at those circumstances in his career which will throw light on his position as an author.

Born of a good family, which afterwards suffered much in the cause of religion, Nicholas Sander had made some progress in the course of university preferment at Oxford, when the changes consequent on Elizabeth's accession drove him abroad. At Rome he came under the notice of Cardinal Hosius, who conceived so high an idea of his talents that he took him as one of his theologians to the council of Trent. After the close of the council, 4 Dec. 1563, Sander remained with his patron and Cardinal Commendone during their various missions from the Holy See to the king of Poland and other German princes, and thus it was not till near the close of that decade that he found himself free to devote all his energies to the special service of the cause which he had nearest at heart.

Spanish Flanders and the north of France were then full of religious refugees from England, whose chief centre was Louvain. There Sander joined them, and devoted himself earnestly to the sup-

port of their cause. His labours at this period were incessant, but they were also the most congenial he ever engaged in. Besides his work as professor at the university, his activity as a controversialist was wonderful. During the four years in which he was engaged in a war of books with Jewel, Nowell, and other protestant divines, he produced three or four volumes a year, all of them full of close reasoning and showing much research. These qualities are seen at their best in his great work 'De Visibili Monarchia,' a folio comprising a vast number of testimonies from the fathers, doctors, and councils, arranged chronologically, on the subjects then most controverted in Europe. So great was the success of this volume, that St. Pius V. summoned him to Rome in January 1572, and his friends confidently believed that he would now be advanced to the purple. But the pope died shortly after Sander's arrival, and his plans were never known. Sander, however, remained at Rome for a year and a half, apparently in the post of adviser on English affairs, and it was during his sojourn there that he composed the smallest yet most famous of all his works, the 'Books on the Rise and Growth of the English Schism,' gathered, as he tells us in his preface, 'from public records, or from the testimony, oral and written, of men of the greatest consideration, or at least from my own knowledge and observation.'¹

In November 1573 he went to Spain, and appears to have remained there for the next five years, presumably dealing with Philip about the pensions paid by him to the refugees, for they had elected Sander as their procurator before he left Flanders. Doubtless, too, he urged upon the king his favourite scheme of reducing the protestant government in England by force of arms. 'The state of christendom dependeth upon the stout assailing of England,' he wrote² to his intimate friend Dr. William Allen, president of the seminary of Douay. But Philip was unfavourable. 'The king is as fearful of war,' in Sander's opinion, 'as a child of fire.' And thus he was all the more anxious to leave his naturally irksome post. 'I have none other thing in this world so at the heart as to be with you, nor can I get leave to depart hence.' Eighteen months later he left stealthily on his last fatal journey.

Sir James Fitzmaurice and Sir Thomas Stukely had persuaded the pope to allow them to execute in Ireland the sentence of deprivation against Elizabeth. Stukely, whose strange changes of side stand out remarkable even in that age of adventurers, at once diverted the forces with which he had been entrusted to the aid of the king of Portugal in the conquest of Morocco, and was lost, with all his men, at the disastrous battle of Alcazar. But Fitzmaurice, in spite of

¹ Preface, *sub fin.*

² *State Papers.* Dom. Eliz. v. 118, n. 13. Printed, F. Knox, *Records of Eng. Catholics*, ii. 38.

Philip's prohibition, found means through the sympathy of the Spanish to slip over to Ireland, and Sander, by the pope's order, accompanied him as nuncio. It would not surprise us to find that Sander went rather from obedience than willingly in this feeble expedition, which was, after all, a mockery of the 'stout assailing' which he advocated. Certainly, his friends expressed their discontent openly. 'Why does the pope send Sander to Ireland? We value him more highly than the whole of Ireland.'³ But, once embarked, he threw himself heart and soul into the enterprise, and the rest of the story of his life is an unbroken tale of incredible difficulty and disaster met with absolutely unwavering courage.

Fitzmaurice was shot through the heart in the first skirmish, and there was small appearance of that readiness to rise on which the exiles had built so much. Moreover, the promised help from abroad seemed to be never coming, and such forces as could be raised were far too ill-armed and undisciplined to resist the English in the open field. Once Sander's party was actually captured by their pursuers, but he escaped in the twilight, passing himself off as one of the English force by his shouts of 'Slaughter the Irish! Slaughter the Irish!' Such at least is the account of those who did not recognise him.⁴

Amid these reverses Sander was the soul of the resistance. At first he held out high hopes of simultaneous risings in Scotland and England, and of powerful invasions from abroad—visions which to us, wise after the event, seem to point to something like extravagance in his mind, for we can now see that their realisation was never probable. On the other hand, there are not wanting signs that his dreams were not so quixotic as might appear; for powers were actually given by the English government to the lord deputy (of which Sander, of course, knew nothing) to treat with the rebels, and grant them, if necessary, toleration in religion.⁵ But the fierce and barbarous vigour of the English officers reduced the Irish to the greatest straits, and Burghley's carefully disseminated reports of the destruction of all the Geraldines led to the delay of the papal succours at Coruña, in the belief that there was no one left to help. At last a frigate came over to discover the state of affairs in Ireland, and Sander, who had months before declared that he remained 'in pledge to be massacred (for that was his manner of speech) unless those forces did shortly arrive,'⁶ loudly upbraided its officers for the remissness of their government in keeping faith. Again he received fair promises, and though their execution was once more delayed, slight gleams of good fortune, destined soon to be over-

³ J. Pits, *De Illustribus Angliæ Scriptoribus*, 1619, p. 774.

⁴ *Calendar of Carew MS.* 12 Aug. 1580.

⁵ Froude, xi. 212 and 230, from *Simancas MS.*

⁶ *Carew MS.*, January 1580, p. 199.

shadowed by still darker clouds of disaster, began at this time to steal over his cause.

Fresh recruits joined the standard of revolt, which was immensely strengthened by the loss inflicted on the new deputy, Lord Grey, at the battle of Glendalough, and not long after that the promised troops arrived, bringing with them money and arms. The latter were stored for use in the fort of Smerwick (St. Mary-Wick), where the newcomers had strongly entrenched themselves. Then fortune, which had thus, as it might appear, favoured them with a base of operations and fair field for fighting, turned once more. Don Bastian de San Josepho, the new commander, was, in fact, utterly unfitted for the desperate fighting which those Irish wars involved. He suffered himself to be blockaded by a force not greatly exceeding his own, and at the end of the second day was clinging to the knees of Lord Grey crying for mercy. The fort surrendered, and the English soldiers under Raleigh, after securing the booty, murdered at their general's order every man, woman, and child that was found within the enclosure. Eight hundred lives were sacrificed that forenoon, for the victors only spared some twenty or thirty officers for ransom, in order that on their return to their country they might tell the tale of the extreme poverty of Ireland. To the answer to Grey's dispatch announcing his victory, Elizabeth 'prefixed a gracious sentence in her own hand': 'I joy,' she said, 'that you have been the instrument of God's glory, which I mean to give you no cause to forethink,'⁷ afterwards adding that she would have been better pleased had the choice of justice or mercy been left to her in all cases, for then 'as well the heads as the inferiors had received punishment according to their demerits;' a hideous innuendo, when we remember how wholesale the slaughter was. But we should notice that Grey had said nothing of the hanging of the women, nor of an almost greater piece of barbarity, which followed two days later.

Among the prisoners had been found a priest, Laurence Moore, Oliver Plunket, a gentleman of the Pale, and William Walsh, Sander's English servant. They were reserved to be tried 'judicially.' This was brief. They were offered the oath of allegiance and supremacy, and on its refusal received sentence, which was immediately followed by execution. They were led to a forge, their arms and legs broken in three places; that night they lay in the most exquisite agony, and next morning were hanged, drawn, and quartered.⁸

Happily for himself, Sander was not in the fort at the time of

⁷ Froude, xi. 238. Grey was, however, afterwards temporarily disgraced, but apparently only *pro forma*. R. Simpson, *Campion*. p. 235.

⁸ Sander to Cardinal Como, 9 Jan. 1581. Record Office. *Roman Transcripts* (Stevenson), vol. iii,

its capture, for if such was the treatment accorded to his very servant we may well wonder what his fate would have been had he fallen alive into the hands of the English. In truth his danger was still extreme, for anyone might have had pardon at the price of betraying 'that papistical, arrogant traitor.' But despite his losses and his danger Sander's high courage never failed for a moment. This is well shown in a very characteristic composition,⁹ probably the last he ever penned. It is a proclamation intended to raise the spirit of his followers to the level of his own. To achieve this he does not attempt to blink his losses; rather he confidently points to them as proofs that God will undertake their cause Himself. And certainly, as far as Sander was concerned, what followed was perhaps as happy a course as could be expected. He was attacked by dysentery, and died somewhat suddenly, and very peacefully, at the end of February or the beginning of March 1581.

The end of Sander's life throws back a lurid light on much that may seem obscure in its previous course. In times of peace it is hard to conceive the horrors of war, and so we may easily fail to bring home to ourselves the reality of the struggles amid which Sander's lot was cast. But the massacre of Smerwick and the inhuman cruelties done to his servant show us unmistakably how real and ruthless were the foes against whom Sander strove. These excesses were but extreme forms of the persecution which had wrecked his home and driven him from his native land. Thenceforward his life had been devoted to combating with act, word, and pen the movement which finally overwhelmed him, and accordingly there come to be sayings and doings of his which cannot be understood except by those who bear this contest in mind.

Looking, however, to those features in his life which directly concern his credibility as an historian, we recognise several of a favourable character, none which exclude a favourable interpretation. He was a noted scholar and contemporary of most of the events he describes. He won the confidence of great rulers abroad though he entered their service late in life devoid of favour and introduction. More noteworthy still, perhaps, is the incident, that so divided a party as that of the English refugees should have selected him as arbitrator in the division of their pensions; and, most important of all, his official position at Madrid and the Vatican must have brought opportunities of acquiring first-hand information of the highest value. And if, on the other hand, it be objected that he misled the Irish into a ruinous revolt, it may fairly be answered that, while such an assumption overstrains his responsibility, he unquestionably shared in their dangers, risked even more than they did, and died at his post. Let us now pass from the author to his book, '*De Schismate Anglicano.*'

⁹ Ellis, *Orig. Letters*, 2nd. ser. vol. iii. p. 93.

What will strike us most, perhaps, at first sight about it is this, that it had in its day a larger circulation on the continent than any other book about England whatever. In the first ten years after its publication in 1585 the number of editions amounted to fifteen; and though the total number finally more than doubled this, all but two modern translations were printed abroad. In Germany it appeared nine times, in France seven times, in Spain six times, in Italy four times, as well as in Holland, Poland, and Portugal. These publications were in Latin, French, German, Spanish, Italian, Portuguese, and Polish.¹⁰

Next let us note the remarkable consensus of writers who have accepted it as an authority. It may briefly be said that practically all writers on the Catholic side, from Bellarmine and Suarez down to Benedict XIV, refer to his name as a sufficient warrant for the facts to be found in his work, and the continuator of Baronius is often content to copy from him at length when English affairs are to be described. He was, in fact, the standard authority for his party until the appearance of Dr. Lingard. Last and not least amid the peculiar features of the book is the extraordinary abuse heaped upon it by its adversaries.

We now turn more particularly to the history of the volume, which, as we have seen, was commenced at Rome about the year 1572, but left unfinished. Unfinished, however, as it was, it soon found favour, as books of its class often did in those days, when printing was expensive, in manuscript copies, one of which was secured by Edward Rishton four years after Sander's death, and at the request of Dr. Jodocus Skarnkert of Cologne prepared for the press. Sander's works were in fact in great requisition at the time; a treatise on Justification had just been published at Trier, and his great work '*De Visibili Monarchia*' was reprinted twice by German enterprise, while other works, '*De Clave Davidis*' and '*De Fide*' were also sought out and published in that country.

Rishton, who was himself a careful student of history, and had published a little work entitled '*Synopsis Rerum Ecclesiasticarum usque ad Annum Christi 1577*,' now entirely lost, found his task as editor an easy one as far as regarded Sander's first two books, which treat of the reigns of Henry, Edward, and Mary. With a few corrections they were ready for the press, and still bear in their style and composition evident signs of having proceeded from a different hand to that which has given us the last book on the history of Elizabeth. Sander's description of this would need, so Rishton found, very much alteration. It was now twelve years behind date, and the addition of so much new matter would entail the remodelling of the whole. He therefore wisely put Sander's work aside and

¹⁰ See *British Museum Catalogue*, and De Backer, *Bibliothèque des Ecrivains de la Comp. de Jésus*, sub voce *P. Ribadeneyra*, n. 5.

wrote a fresh history for himself, prefixing a 'synopsis' to explain what he had done and why. But before the work thus corrected saw the light, death again intervened. Rishton died of the plague at Ste. Ménéhould on 30 June, 1585, and was there buried. He had only been freed from prison in England in the preceding January.¹¹

Who Dr. Jodocus Skarnkert was, who finally saw the book through the press, we know not. It is, however, to be remarked that he had no scruple in making anonymous additions to Rishton's work. A priest and a layman having suffered in England shortly after Rishton's death, accounts of both were added, together with a mention of the deportation of thirty priests and two laymen on 24 Sept. of the same year. The volume was brought out at Cologne with the following title:—

Doctissimi viri Nicolai Sanderi, de origine ac progressu Schismatis Anglicani liber. Continens historiam maxime ecclesiasticam, annorum circiter sexaginta, lectu dignissimam: nimirum, ab anno 21 regni Henrici 8 quo primum cogitare coepit de repudianda legitima uxore serenissima Catherina, usque ad hunc vigesimum septimum Elizabethae, quae ultima est ejusdem Henrici soboles. Editus et auctus per Edouardum Rishtonum. Praecipua capita totius operis post praefationem auctoris continentur. Coloniae Agrippinae, Anno Domini 1585.¹²

Following the fortunes of the little volume, we now turn to Rome, whither Dr. William Allen and Father Robert Persons had been summoned in August 1585 to hold the same post which Sander had once filled, viz. to advise the Pope on English affairs. Now Persons was a man like Sander in very many respects, and especially in the faculty for carving out work. To spend long hours in business at the Vatican, to direct the affairs of the English Jesuit mission, to correspond with its various members then scattered amongst their brethren on the continent—for in those early days they were too few to constitute a province of their own—was not enough to satisfy the energies of this untiring man. He too had become possessed of a manuscript copy of Sander's compilation and set to work to prepare it for the press. This is evident from the existing state of the document, still preserved at the English College, Rome,¹³ which contains emendations written in his unmistakable hand in the margin. These notes cease after fol. 46, from which we may conjecture that at this stage the edition just published in Germany became available, and that his subsequent alterations were made on the printed volume. The MS., however, contains a few notes in another

¹¹ Pits, *De Illust. Ang. Scriptoribus*, p. 787. Knox, *Records of Eng. Catholics*, i. 206 and 304.

¹² Mr. D. Lewis's excellent translation (London, 1877) is from this edition.

¹³ I am indebted to the Rector, Mgr. William Giles, for much valuable information about this manuscript.

hand, such as might point to some other attempt at editing, but are more probably the comments of an ordinary reader. However this may be, we shall not be far wrong in assuming that Father Persons was the responsible editor of the next edition, which he certainly commenced, and—to judge from internal evidence—presumably completed. It was printed at Rome by Bartolomeo Bonfadini in the Via dei Pellegrini in 1586. The title was slightly changed. Instead of professing to be ‘edited, with additions, by Edward Rishton,’ we read: ‘*Aucti per Edouardum Rishtonum, et impressi primum in Germania, nunc iterum locupletius et castigatius editi.*’

The intention of the new editor, as evidenced by his alterations, was to make the book a more complete guide to the catholic side of the English Reformation. In outline and general tendency he left it untouched, but introduced freely from trusted authors such striking incidents as seemed to him likely to make the story definite and tangible.

A complete list of the authors quoted would be a long and curious one. Pole seems to be his greatest favourite; Stowe is most relied upon for names and dates; and Erasmus, Cochleus, Maurice Chauncy, Francis Bouchier, and Surius, together with the less familiar works of John Lewis Vives and Frederick Nausea are brought into requisition. In fact the selection shows that considerable pains and research were used to select and arrange the fresh material. Then, too, the extracts are often striking and piquant, as, for instance, the story (taken from one of Stapleton’s controversial works)¹⁴ of Cranmer carrying about the woman he had married in a box, until the laws of Edward legitimised their union. The documents printed in the volume seem to have been taken from the archives of the English College, Rome, where there was already the commencement of a collection of papers, which subsequently, under Persons’ own rule as rector, became so large and valuable that the parts of it which survive have become the chief treasures of the muniment rooms of Stonyhurst, Oscott, and the archdiocese of Westminster.

It was evidently from this source that he drew (pp. 445–62) the long and interesting letter which Bartoli¹⁵ quotes as one of Persons’ own, as well as the confessions of John Nichols (pp. 469–73), and the document printed at the end of the volume, probably the most valuable of all Father Persons’ additions. It is entitled ‘*Rerum . . . in Turri Londinensi gestarum, ab anno domini 1580, ad annum usque 1585, indiculus seu diarium; ab eo observatum atque collectum, qui toto tempore captivus interfuit.*’ This is generally quoted as ‘Rishton’s Diary,’ which is certainly incorrect. It does

¹⁴ Nicholas Harpsfield, *Hist. of Divorce*, p. 290 (Camden Soc.), also mentions this story.

¹⁵ *Inghilterra*, ed. 1667, p. 215.

not appear in Rishton's edition, and shows no evidence of having been composed by him; indeed, he was probably never in the Tower at all. It should, apparently, rather be ascribed to John Hart; as Persons in his 'Notes for a Life of Campion,'¹⁶ makes mention of the *Diarium Joannis Harti*, and no such document is known to exist unless this be it.

In spite of this uncertainty as to the name of its author, there can be no doubt that this is one of the most striking records extant of the persecution of catholics. Here we have precise information of the employment of the rack, the 'little ease,' the 'scavenger's daughter,' the thumbscrews, the manacles, shackles, and the pit. The unimpassioned brevity of the record, together with its close agreement with the warrants in the 'Council Books,'¹⁷ make its force all the more striking. The whole document deserves careful editing. It has never yet been printed in English.

It will easily be believed that Father Persons, in making additions, which amount to about a quarter of the whole book, fell into various errors, both in the manner of interpolation and in the matter introduced. For one of these, the description of the death of Abbot Whiting, he has been taken to task by Father Gasquet.¹⁸ He has substituted for Sander's words what that author conjectures to be 'the gossip of the countryside current half a century later.' This fits in perfectly with our conclusion of Persons being the editor; he was a Somersetshire man. Several other errors are pointed out in an appendix to Burnett, whose somewhat crude criticisms are the objects of the much more valuable comments of Joachim Le Grand.

A not uninteresting specimen of Father Persons' work is the account interpolated by him of the submission of the clergy made in the convocation of 1531. True, it is a somewhat unfortunate passage, as it probably contains more faults than will be met with in the same space elsewhere. But then these very faults will be found to be clues to the authorities whom Persons is quoting, for his errors seem to be always those of the over-faithful copyist, rarely or never those of the careless composer. In the present case he seems to have chiefly followed the '*Narratio Richardi Hilliardi Angli de rebus Anglicis*,' and, fortunately, the part of Hilliard's story here used is found in a surviving fragment of his narrative preserved in the British Museum,¹⁹ and accounts for at least half the inaccuracies in Father Persons' interpolation. Sander's original passage is apparently responsible for another, and, as Persons

¹⁶ Fol. 157, Stonyhurst MSS.

¹⁷ Happily these invaluable documents are now being printed, and we shall soon be able to consult them without the infinite trouble that undertaking used to involve.

¹⁸ *Henry VIII and the Eng. Monasteries*, ii. 351, note.

¹⁹ Arundel MSS. vol. clii. 312, 313.

certainly had in his hands a life of Fisher not known to us, one is prone to suspect that such other features of his story as are not referable to these sources would be accounted for if this life were forthcoming. It will be recognisable by a story of Fisher quoted by Persons, not to be found in any of the known lives of that bishop.²⁰

As soon as the old man espied from afar the scaffold whereon he was to consummate his glorious conflict, he cast away the staff on which he leant, and cried, 'Come, come, ye feet of mine, this service ye shall do me, now your journey's end is near!' ²¹

The staff so cast away is still preserved as an heirloom in the family of Mr. Eyston of East Hendred.

The errors of which we have just been speaking are chiefly deviations from the chronological order, and should not, we think, be condemned too severely, nor should it be considered wonderful that Father Persons, if he be the editor, should have omitted to put his name to the book, for that name was the object of so much ill-will in England that not one of the forty-four works ascribed to him could safely bear it, except one printed in Spanish for Spain. Still it does surprise us to find so little notice of the fact that large additions had been made to Sander's original with absolutely no indication as to what was original and what supplementary. True, the title-page informs us that the books are *locupletius et castigatius editi*, but to what extent the reader is absolutely uninformed. This seems very inexplicable to our ideas, but that it did not seem so to men of that day is evident from the high character of the editor, and the singular coincidence that so many translators and other editors allowed themselves the same liberty.

We have already mentioned the anonymous additions to the edition of 1585. Father Peter Ribadeneyra in his Spanish version (which, however, professes to be more than a translation) added an appendix bringing it down to 1588, and inserted fresh matter in the text, *e.g.* a letter of the Princess Mary to Queen Catherine. In Italy Fra Girolamo Pollini, a dominican, added the yet more extraordinary story of the citation laid on the grave of St. Thomas Becket commanding him to appear in court to answer a charge of high treason. The warrants which Pollini professes to quote cannot be correct as they stand,²² but whether the errors in them are due to attempts to purify the Latinity, or to what other cause, has

²⁰ Since writing the above I have been informed by Père Van Ortro, Bollandist, that in preparing the newly discovered life of Fisher for a forthcoming number of the *Analecta Bollandiana*, he has not met with this story in any of the lives consulted by him.

²¹ *Eia, inquit, pedes, officium facite, parum itineris jam restat.* De Schismate, p. 133.

²² Wilkins, iii. 835.

not yet been satisfactorily explained. Again in 1610 a new edition was published professing also to have been issued '*locupletius et castigatius*'; but the only alteration discernible is the addition of some confessions of John Nichols, pp. 416-429. The edition of 1628, on the other hand, while making the same professions, appears rather to have returned to the earlier text, which, however, has been more carefully revised.

Having thus seen something of the history and structure of the book we are considering, we may fittingly conclude with some account of the criticisms passed upon it. We have already noticed the great favour shown by those of his own side, and there are expressions of his adversaries far more emphatic still on the opposite side. Heylin calls him Dr. Slander, Strype 'a most profligate fellow, a very slave to the Roman See, a sworn enemy to his own country,' &c., &c. Burnet's opinion is that 'Sanders had so given himself up to vent reproaches and lies, that he often does it for nothing, without any end but to carry on a trade, that had been so long driven by him that he knew not how to lay it down.' Francis Mason declares that in Sander's 'libel,' 'the number of lies may seem to vie with the multitude of lines.' Camden, though he uses very strong words of condemnation, adds with greater moderation that 'though learned' he was 'more credulous than becomes a man of exact judgment.'²³

Of modern writers the most vehement is Mr. Froude, who styles the book 'the most venomous and successful of libels,' and thus describes it:—

In a history of 'The English Schism' he collected into a focus every charge which malignity had imagined against Henry VIII and his ministers: and so skilful was his workmanship that Nicholas Sanders, in the teeth of Statute and State Paper, in direct contradiction to every contemporary document which can claim authority—except the invectives of Pole, which he appropriated and exaggerated—has had the shaping of the historic representation of the Anglican Reformation. Sanders 'on the Origin and Progress of the English Schism' has governed the impressions of millions, who have least believed that they were under his influence. Not a scandalous story was current at the time of the revolt from the Papacy but Sanders took possession of it and used it—used it so adroitly that he produced a book which eclipsed Buchanan's 'Detectio,' and made Mary Stuart's doings appear pale and innocent beside the picture of rapine, lust, and murder, which he held up before the eyes of Europe.²⁴

A more weighty testimony as to Sander's worth is that of Mr. Pocock.

Many facts, which had been disbelieved because he was the only narrator of them, have been proved to be true by recent publications of con-

²³ For these and other such opinions, see Lewis, *Introd.* xxi.

²⁴ *Hist. of Eng.* xi. 204.

temporary documents. He alone, of all historians, gives the correct number of Catherine's children; and even in his somewhat exaggerated description of Anne Boleyn's personal deformities, which he has been accused of inserting more from dislike of the queen and her mother than for any assistance it would afford to the main view of his history, he was correct as to the facts of the particulars he narrates. . . .

These little particulars afford the strongest guarantee for his accuracy in other matters. The mistakes which occur in the work are in those parts which were added by Rishton and others to the original narrative. . . . Sanders, though very prejudiced, was not dishonest; he believed what he wrote, and, upon the whole, is tolerably correct in his facts.²⁵

An able article in the *Saturday Review* for 3 Oct. 1868, styles the book 'a first class authority,' and adds,

We would recommend anybody who wishes to get a clear idea of the political and religious movements of the sixteenth century to read Sander's book, 'De Schismate Anglicano,' as presenting a more discriminating account of the various disturbances in church and state than can be found in so small a compass anywhere else.

Let us conclude with the very sensible recommendation of Mr. Mullinger to historical students, that they should consult Sander's treatise because it 'is frequently appealed to by writers of his party as authoritative.'²⁶ The reason here touched seems to us after all one of the soundest and safest for setting value on this little tractate. Some will prize it as a chronicle of the times, some may esteem it as proceeding from the men to whom we owe it, but all must recognize that no history of a violent strife, such as that of the English Reformation, can be truly appreciated without carefully examining the question from the points of view of each of the contending parties, and nowhere can that side of the quarrel, which was once that of the majority, be more clearly seen than in Nicholas Sander's 'Book on the English Schism.'

J. H. POLLEN.

²⁵ N. Pocock, *Records of the Reformation*, vol. i. pref. p. xlii. Mr. Pocock's statement is abundantly confirmed by the notes to Lewis's edition.

²⁶ *Introduction to the Study of English History*, by Prof. Gardiner and J. B. Mullinger, 1881, p. 330.

Oliver Cromwell's Kinsfolk

OLIVER CROMWELL the brewer's son of Huntingdon, 'a base mechanic fellow,' as one of Charles II's proclamations styles him, is out of fashion now. He is obsolete, gone to the limbo of old party properties and catch-words, and in his room we have Oliver Cromwell the country gentleman of good birth and fair estate, whom Carlyle made known to us, and whom Mr. Frederic Harrison, has rendered still more familiar. 'I was,' the Protector says himself in the curious speech which he addressed to the parliament of 1654, speaking in the presence of some who had known him from boyhood, 'I was by birth a gentleman, living neither in any considerable height, nor yet in obscurity.' And this is the view which is now commonly received on the faith of parish registers and parliamentary returns as the truth.

But perhaps it scarcely represents the whole truth. Cromwell was not only a country gentleman. He possessed among the families of the leading commoners a large and almost abnormal number of relations and connexions. He and his first cousin, John Hampden, were the most conspicuous members of a clan so wide, so influential, and in particular so largely represented in the Long Parliament, that its existence suggested to the Rev. Mark Noble, when writing his 'Protectoral House of Cromwell,' at the end of last century, the idea of a political confederacy slowly and deliberately formed against the power of the crown—a league of families built up with a purpose during the years preceding the civil war. The wrongs which the Hampden family had suffered seemed to lend countenance to this. John Hampden's uncle, Sir Edmund Hampden—he is variously called Sir Everard and Sir Edward, but this seems to be the correct version—was one of those who were thrown into prison in 1627 for refusing to subscribe to a forced loan. He was also one of the five knights on whose behalf Selden vainly sued out a *habeas corpus*; but, less fortunate than his fellows, he died in prison in the winter of that year before the order of release came. We may suppose that John Hampden, himself in confinement at the time, remembered this, as we know that he remembered the death in the Tower of Sir John Eliot, that other patriot, who left him guardian of his sons. Noble's

theory appears on further consideration untenable, and we come to the more natural and matter-of-fact conclusion that, extensive and influential as the Cromwell and Hampden alliances were among the landed gentry at this time, and great as was the weight which they threw into one scale, they were the result rather of accident and of the social intimacy which common opinions and wrongs induce among people of the same rank than of any deliberate scheme. Disclaiming, therefore, any intention of supporting the theory mentioned above, though one reference to it may be permitted lower down, the writer proposes to trace the various ties and relationships which existed between the Cromwell family and other families, at the opening of the Long Parliament in particular; to note the importance and influence which they must severally have conferred on Oliver; and to show very briefly how far his earlier and later connexions were of advantage to him during his period of power.

From the nature of the case, many of the facts are of a dry, genealogical character; but if the reader will give his mind to the subject, he will find some interest in watching the gradual forging of link upon link, the addition of family after family to the Cromwell interest. It should be observed that Carlyle has not taken very particular note of the Protector's relationships, and, omitting to keep them in mind, has scarcely grasped to the full his position at the opening of the Long Parliament. In some cases, indeed, that great writer has apparently overlooked the family bond between Cromwell and other actors in the drama. He does not state, for instance, that the Colonel Robert Hammond, who, as governor of the Isle of Wight, arrested the king after his flight from the army—an act of great moment, as it proved—was Hampden's son-in-law, and the husband of Cromwell's first cousin once removed. Mr. Frederic Harrison, within the limits of his shorter work, has dealt more fully with Cromwell's relationships, calling attention in particular to the cousinhood which he found round him in 1640. But to enter into details was not within the scope of his plan. Noble, on the other hand, was at pains to devote a volume to families allied to the Protectoral House. His treatise is written in a rambling and diffuse style, he makes some statements which are ill supported by evidence, and he has made no attempt to group his facts, or to show by the light of parliamentary returns, division lists, or extraneous events, the point to which they seem to tend. But he supplies us with much information of a pedigree character diligently gathered from many sources. What his views were upon the Cromwell family league will appear from two extracts which can be briefly made:—

This union [he says, referring to the match between John Hampden's daughter Elizabeth, and Richard Knightley] gained a vast accession of

family interest against the royal power, and greatly contributed to make that already dreadful combination still more forcibly felt.

And again, speaking of the Trevors of Trevallyn, he says :

From this concise account of the Trevors it may be expected that an alliance was desirable by any family. The patriot Hampden particularly thought it so, not only from their interest in England, but for their command of so large a part of Wales, their very numerous and great family connexions, the political sentiments that were almost common to all of them ; and what perhaps was still more interesting to the patriot, the vast sway they bore in the House of Commons, having, besides several members allied to them by marriage, no less than five of their own name in parliament, of which Sir John Trevor of Trevallyn was one, and his eldest son of both his names another. It is this Sir John Trevor, junior, knight, then only Mr. Trevor, and his descendants that I shall particularly treat of, as, from the political reasons before enumerated and the private amiable virtues of himself and his family, the patriot fixed upon him for the husband of Ruth, his fourth daughter, by which he greatly strengthened that union of families which first under himself and then the Cromwells at their head endeavoured and in the end overturned one of the most ancient and respectable monarchies in the world, and in its place substituted a new form of government which was at first pretty evenly divided amongst the allied association but in the end fell only to one family.

It will simplify matters, and keep the pedigree within some compass, if we take Sir Henry Cromwell of Hinchinbrook, the Golden Knight, as the root of relationship. He was the grandson of Morgan Williams (Cromwell), whose wife was a sister or near relative of Thomas Cromwell, Earl of Essex, and was also the grandfather of the Protector. He had a very numerous family, but those only of his children who contributed by their alliances to the strength of the parliamentary party need be named here. They were Oliver, Robert (the father of the Protector), Henry, Joan, Elizabeth, Frances, Mary, and Dorothy. The list being now before the reader, it will be more convenient to deal with the daughters, the Protector's aunts, first.

Joan then, the eldest, and the first to leave Hinchinbrook, married, early in the century, Sir Francis Barrington, of Barrington Hall in Hertfordshire, a knight and baronet. We have two things on record concerning him. First, that in one of Queen Elizabeth's parliaments he represented his county, and presented a petition on behalf of the puritan ministers. Secondly, that he was one of those who were imprisoned in 1627 for refusing to subscribe to the forced loan. These things sufficiently prove both Sir Francis Barrington's position as a country gentleman and the bent of his opinions in religion and politics. In 1640 he was probably dead ; but his son, Sir Thomas Barrington, a busy and strenuous supporter of the same views, was returned to the Long Parliament for

Colchester; and his son, Sir John Barrington, joined him in 1644 as member for Newton, Hants.

Besides this son, Sir Thomas, Joan Barrington had several daughters, first cousins to the Protector. One, Mary, married a very notable man, Sir Gilbert Gerrard, Baronet, of Harrow in Middlesex, knight of the shire for that county in the Long Parliament. As became the representative of Middlesex, he was a man of great wealth and influence, and up to the time of the king's trial was a bitter and persistent opponent of the court. In one remarkable matter, he and his brother-in-law, Sir Thomas Barrington, figured together, for it is a singular fact that they were the two tellers for the Ayes when the house divided upon the third reading of the Strafford bill of attainder. Sir Gilbert Gerrard's influence was increased by the fact that his son and heir was also a member of the house, having been elected by the burgesses of Seaford.

Another of Joan Barrington's daughters married Sir William Masham of Otes in Essex. He too was one of those imprisoned at the time when the Hampdens were confined in 1627. He came up to the Long Parliament a month or two after its first meeting, as knight of the shire for Essex, and his son William Masham was member somewhat later for Shrewsbury. Both were puritans, and staunch opponents of the king, in all church matters more especially. Their family influence was considerable, their descendants obtaining a peerage early in the next century. Besides this alliance with the Barringtons, Sir William Masham was connected by marriage with the St. Johns, who will be mentioned presently.

Another Barrington daughter married Sir Richard Everard, a man of mark and sheriff of Essex in 1644. 'His baronetcy,' says Noble, 'conferred in 1628 did not prevent him joining in the great family confederation against his majesty.' He was not a member of the Long Parliament, but represented Essex in Cromwell's parliament of 1654.

A word as to Sir John Bouchier, a notorious member of the house, who represented Ripon, and who later sat as one of the king's judges and signed Charles's death warrant. Probably he was Sir Thomas Barrington's first cousin, certainly his mother was a Barrington. We are particularly told that he was not one of the family of the Bouchiers, earls of Essex, nor related to the family from whom the Protector took his wife.

Thus the Joan Barrington branch, including Barringtons, Gerrards, Mashams, and Bouchier, could muster in about the fourth year of the Long Parliament no less than seven members: namely, Sir Thomas Barrington, the Protector's first cousin; Sir John Barrington, young Gerrard and young Masham his first cousins once removed; Sir Gilbert Gerrard and Sir William Masham who had married his first cousins, and lastly Sir John Bouchier.

Joan Barrington's younger sister Elizabeth Cromwell made also a good match. She married Griffith Hampden of Great Hampden, Bucks, a gentleman of long descent and great property, and was the mother of John Hampden. John Hampden married a Symeon, and of his children only the daughters need concern us. They were of course the Protector's first cousins once removed. The eldest Elizabeth married Sir Richard Knightley, the eldest son of Richard Knightley of Fausley in Northamptonshire, a man of many acres and great interest in that county. Richard Knightley the father and John Hampden had much in common. They had both been numbered among Sir John Eliot's intimate friends, they had both sat by his bedside in the Tower. Knightley, indeed, claimed some distant kinship with Eliot. Moreover, they had both been thrown into prison in 1627. But Richard Knightley's hatred of the court far exceeded Hampden's. It was a bitter, deep-rooted, old-time prejudice; and it has been asserted again and again that it was in his house at Fausley that the scheme of depriving the crown of the command of the militia and the right to make war and peace was debated and matured. He, Richard Knightley, was not returned to the Long Parliament, but his son Sir Richard—Hampden's son-in-law—represented Northampton. Moreover, Knightley had in the house two cousins, active Puritan men, Sir Oliver Luke, member for Bedfordshire, and Sir Samuel Luke, member for Bedford, who gave constant support to Hampden. Further, Sir Richard Knightley's aunt, Anne Littleton, was the wife of Humphrey Salwey of Stanford in Worcestershire, member for that county, a staunch supporter of the country party, and the ancestor of the present Shropshire family of that name. Humphrey Salwey's younger brother Richard Salwey at a later period joined the Long Parliament as the representative of Appleby. Therefore, though the Knightleys had only one vote themselves, they could boast of numerous and powerful connexions in the house.

Hampden matched his daughter Ruth with Sir John Trevor of Trevallyn, the importance of whose family has been set forth at length by Noble in the passage quoted above. Sir John Trevor was member in 1640 for Grampound, and his son or brother Thomas represented Monmouth. At a later period of this parliament two more of his near kinsmen of the same name had seats, so that eventually, though death deprived them of one vote, the Trevors could muster three.

Anne Hampden, the third daughter, became the wife of Sir Robert Pye, of Farringdon in Berkshire. This match was made in 1641 on the eve of the great contest. The Pyes were people of mark in Berkshire, but they differed from the Knightleys and Trevors in this, that Robert's father and several members of the family took the king's side. The puritan zeal of Hampden's son-

in-law, however, was so great that he is said to have besieged the elder Pye in the family seat, and it is certain at least that he christened his own eldest son Hampden Pye—an instance of a practice then exceptional though now common enough. Sir Robert Pye represented Woodstock in the Long Parliament, and later was a colonel of horse in the parliamentary service.

The youngest of the patriot's daughters married Robert Hammond, the nephew of a famous officer, Lieutenant-General Thomas Hammond, who was afterwards one of the king's judges. Robert Hammond did not sit in the Long Parliament. Though a young man, he distinguished himself, however, in another way. It was to this 'Dear Robin' (as Cromwell calls him in letters referring to this very matter) that some strange chance or mischance led the king, after his escape to the Isle of Wight, to reveal himself, in the hope, apparently, that Hammond's loyalty to his sovereign would awake and the young officer would assist him to cross to France. The temptation, we know, was great—Cromwell allows it to have been so—the trial, a bitter one, the more as Hampden's son-in-law was dissatisfied with the conduct of affairs at headquarters. He hesitated. But in the end his fidelity to his party prevailed, and he detained the king. Hammond died young, and his widow married Sir John Hobart, who had a seat in the parliament which the Protector summoned in 1656.

There is a kinsman of John Hampden's who should not be altogether omitted—his first cousin, Edmund Waller, the poet. He sat in the Long Parliament as member for St. Ives, until being detected in a mysterious plot, the object of which seems to have been the capture of London, he was mulcted in a heavy fine and banished. Though Edmund Waller was not akin, strictly speaking, to Cromwell, his name has long been connected with the Protector's, and his fame with the ode which he wrote in the latter's honour. He was related to the two other Wallers of that day—Sir William Waller, the member for Andover (elected 1642) and a general in the parliamentary service, and Sir Hardress, also an officer of distinction in the field.

The Hampden branch therefore—including Edmund Waller—would muster something like eight votes in the House of Commons, the number being made up of John Hampden himself, his three sons-in-law, Knightley, Trevor, and Pye, Waller, the two Lukes, and Humphrey Salwey.

Frances, the third daughter of Sir Henry Cromwell, and the aunt of the Protector, married Richard Whalley, a Nottinghamshire gentleman, at one time sheriff of the county, and had two sons. The elder, commonly called Colonel Edward Whalley, distinguished himself in the puritan service, commanded his cousin's

life-guard on state occasions, had the charge of the king at Hampton Court, sat on his trial, and signed the death warrant. His daughter married a well-known officer and regicide, Colonel William Goffe; and on the Restoration father-in-law and son-in-law escaped together to New England. Frances Whalley's younger son, Henry, was judge-advocate.

Mary Cromwell, Sir Henry's fourth daughter, married Sir William Dunch, of Little Wittenham in Berkshire; and their son, Edmund Dunch, sat in the Long Parliament as the representative of Wallingford. The Dunches were people of mark allied to two other ancient families, now, I believe, extinct—the Fettiplaces and Hungerfords; and the member for Wallingford seems to have been a man of weight and discretion, much to the front in a modest way. The Protector created him a peer by the title of Baron Burnel, but Charles II ignored the patent. Dunch was of course opposed to the court, and one of his sons, Dunch of Pusey, married Anne Mayor of Hursley, a sister of Richard Cromwell's wife.

Dorothy, the Protector's youngest aunt, married Sir Thomas Fleming, a connexion only of importance in this, that the Fleming who officiated as Oliver's master of the ceremonies was probably her son.

The reader now has the alliances formed by Sir Henry Cromwell's five daughters before him, and it remains only to notice one very remarkable thing in regard to them. Their father was a royalist and a courtier. He entertained James I again and again. Their elder brother, Sir Oliver, was also a cavalier and a king's man. So were all the male Cromwells in the upper branches. Then how came these daughters to marry the puritans Barrington, Hampden, Whalley, Dunch? The answer seems, probably enough, to be this, that Dame Joan Barrington was the eldest and first to marry, and that she and Sir Francis, by whatever chance their match may have been brought about, took in hand the fortunes of her younger sisters. It was remarked afterwards of Oliver that, though he was scarcely open to the charge of nepotism, he had as many females to dispose of as a cardinal; and the Barringtons and Hampdens would appear to have had the same fortune.

The Protector's eldest uncle, Sir Oliver, was a staunch royalist, four of his sons serving on the king's side. Nor did any member of his family sensibly contribute to the strength of the puritan party, except his eldest daughter Elizabeth, who married Sir Richard Ingoldsby, a Buckinghamshire knight. She had three sons who distinguished themselves in the parliamentary service; and one in particular, also named Richard, took his seat in the Long Parliament before its close. He stood high in the favour of the two Protectors, Richard Cromwell incurring some unpopularity

among the puritans by openly comparing 'honest Dick Ingoldsby' with their insincere professors. The three Ingoldsbys all sat in the parliament of 1656, and one of honest Dick's brothers had the singular good fortune to be created a baronet by his first cousin once removed, and to have the patent confirmed by Charles II.

The Protector's younger uncle, Henry Cromwell of Upwood, also made no figure, his death occurring probably before 1640. His daughter, Elizabeth, however, married in 1638 one of the great leaders of the country party, Oliver St. John, the ship-money lawyer whom the court tried to buy by creating him solicitor-general. It is not improbable that this match was brought about through Hampden, on whose behalf St. John had just appeared. He represented Totness in the Long Parliament. His son, Francis St. John, was a member of the parliament of 1656; and so was his cousin, Sir Walter St. John, of Lydiard Tregooze, who married Oliver St. John's daughter.

From the Stewarts, the family of his mother, and the Bouchiers, the family of his wife, the Protector's party received no support worthy of record. His father, Robert Cromwell, died before the troubles began, and he had no brothers. We come, therefore, to his sisters. The eldest, Catherine, took for a second husband—her first was Captain Whitstone—Colonel John Jones, an officer of distinction in the puritan service, who obtained a seat in the Long Parliament some time after its commencement. He had previously sat for Merioneth in the Short Parliament of 1640. He was a member of the high court of justice which tried the king, and his name stands high on the list of those who signed the warrant for Charles's execution. Surviving the Restoration, he was tried and executed, being the only near connection of the Protector who suffered death on that occasion.

Cromwell's second sister, Margaret, married Valentine Walton, the wedding taking place, as Mr. Frederic Harrison points out, four days before her father's funeral. Valentine Walton, of Great Stoughton in Huntingdonshire, sat in the Long Parliament as knight of the shire for that, the Cromwell, county. One of his sons was killed at Marston Moor, and the letter in which Cromwell, who had himself lost a son a little before, sent home the news is to be found in Carlyle's collection. Walton would seem to have acted for a time as his brother-in-law's agent in London; and another of his sons married a daughter of the well-known Colonel Pride.

The alliances formed by the remaining sisters, and by the children of the Protector, did not affect (with one exception) his influence in the Long Parliament; and it will be of interest before entering upon an examination of them to consider, by the light of the information already collected, what was his position when he

came up to that famous assembly in November 1640. He had had already some experience of the house, he bore a well-known name, and had a fair estate, and the reputation in his own district of being a strenuous, stirring, stiff-backed man. But in addition he had—or he and his cousin, the already famous Hampden, had—the following kinsfolk among the members: Oliver St. John, the solicitor-general, a first cousin, Edmund Dunch, Sir Thomas Barrington, and Edmund Waller, also first cousins; Sir Richard Knightley, Sir Robert Pye, and Sir John Trevor, Hampden's sons-in-law; Valentine Walton, Cromwell's brother-in-law, and Sir Gilbert Gerrard, and Sir William Masham, the husbands of Cromwell's first cousins—ten votes; with Cromwell and Hampden, twelve. Then, in addition to these, he had in the house at its first sitting five distant connections, the sons or kinsmen of the foregoing, namely: Francis Gerrard, Thomas Trevor, Sir Oliver Luke, Sir Samuel Luke, and Humphrey Salwey.

Nor is even this an exhaustive list. Mr. Frederic Harrison numbers Henry Marten, the famous wit and republican, among Cromwell's cousins; but the link between them is not apparent at a first glance and we omit him. The same course may be taken for the present with Sir Francis Russell, member for Cambridgeshire, 'your brother Frank Russell,' as Cromwell calls him in a letter written to Richard Norton in March 1648; though Noble seems to be an authority for the statement that the Cromwells and Russells were already connected—as they certainly were later. This Richard Norton, who presently came up to the Long Parliament as member for Hampshire, would appear himself to have been akin to the Protector: at least Oliver in his letters commonly styles him 'Dear Dick,' and, moreover, employed him to make the overtures for the marriage of his son Richard to Dorothy Mayor of Hursley, a delicate piece of work which would naturally fall to the lot of a relative. If Norton was actually akin to the Cromwells, he formed a connecting link between them and that small but influential wing of the puritan party which followed Lord Saye and Sele—the three Fiennes, of whom Nathaniel was the leader, the Temples of Stowe, and others—Norton's wife being Lord Saye and Sele's daughter. Noble certainly states that Norton was related to the Cromwells through the Flemings. It is a fact also not unworthy of note, if we bear in mind Hampden's guardianship of Eliot's sons, that Nathaniel Fiennes married Sir John Eliot's daughter, and that there was a traditional connexion of old standing between the Fiennes and Hampden families.

Putting aside these doubtful relationships, we may take it that Cromwell and Hampden could muster between them at the sitting of the house some seventeen members connected with them by such family ties as men commonly recognise. From time to time, as

vacancies occurred and royalists were disabled, this number was increased very considerably, Sir John Barrington, Sir John Bourchier, William Masham, John Trevor, John Jones, Thomas Waller, Richard Ingoldsby, Henry Ireton (Cromwell's son-in-law to be mentioned presently) and Richard Salwey, coming up to recruit the clan which, notwithstanding death and defection, can scarcely in 1647 have mustered less than 23 votes.

It is only reasonable to suppose that the existence of these family ties gave some additional importance to Hampden at first and later to Cromwell. Pym who stood, if any man did, on a level with Hampden, was related in some vague way to Bradshaw—and if so perhaps to Milton; but he had little other private backing. Denzil Hollis, the leader of the presbyterians, was Strafford's brother-in-law, but then Strafford was the head and front of offence. Sir Harry Vane, indeed, had brilliant connexions, but few of them, with the exception of his father and the Pelhams, were in the house. No one of these men had behind him the domestic support which Hampden enjoyed and which Cromwell inherited. And, moreover, each of them stood alone, whereas Hampden, St. John, and Cromwell—three men equal to them man to man—stood together. Clarendon says—and it is worthy of note in this connexion—that the house was swayed by a small knot of active members. He describes Hampden as the most popular man in the Commons, and in another place says that his power and interest were at that time greater than any man's in the kingdom, 'or than any man of his rank hath had in any time.' He further gives an account of the six men who led the country party at the sitting of the house. They were—in this order—Pym, Hampden, St. John, Fiennes, Vane, and Hollis. He shortly mentions seven other members, of whom Sir Gilbert Gerrard stands first.

In the pages of Rushworth the men we have reviewed do not make much show as speakers, but Sir John Gerrard and Barrington are continually on committees, and Sir Robert Pye, Masham, Luke, and Waller also serve with some frequency. On a grand committee of sixty-eight members appointed to abolish superstition and idolatry, Cromwell, Masham, Pye, Hampden, Gerrard, and Barrington served. When twenty-four commissioners were appointed to overlook the payments to the Scotch army, Hampden, Pye, Barrington, and Gerrard were of the number. And when members were invited to subscribe to the fund for crushing the Irish rebellion and settling the kingdom, seven of these gentlemen set down their names on the first list. Sir Gilbert Gerrard gave 2,000*l.*—a larger sum than was given by any other commoner. Pye, whose name appears second, gave 1,000*l.*, Sir Thomas Barrington 1,200*l.*, Sir William Masham 600*l.*, Hampden 1,000*l.*,

St. John gave 600*l.*, and Cromwell set himself down for 500*l.*, but eventually, it would seem, gave 1,000*l.*

The death of John Hampden and the defection of Edmund Waller must have greatly weakened the family party. Yet, when the House of Commons took the covenant, fully a score of the names mentioned above occur in a house a little exceeding two hundred. It is not improbable that the jealousy which the parliament began to feel for the new army was tempered, so far as Cromwell was concerned, by the judicious assurances of many of his kith and kin, and that the attacks of the officers ousted from commands by the Self-denying Ordinance were warded off by the same interested supporters. But a little later the victorious parliament became a house divided against itself, the presbyterian majority desiring to disband the army, the independent minority, which leaned for support on the troops, desiring to maintain it. Naturally enough, the heads of the more substantial houses akin to Cromwell sided with the former party. In 1648 Pride purged the house, drawing a strict line between the presbyterians who were excluded and the Rump which continued to sit. The two lists, which are preserved in Somers's tracts, well indicate how the Cromwell kinsfolk were divided. Among the excluded were the two Gerrards, Richard Knightley, Sir John Barrington, Sir Robert Pye, Luke, Thomas Waller, two Trevors, Norton, and Francis Russell. Those who remained were St. John, Walton, Dunch, Bouchier, John Jones, Sir John Trevor, Ingoldsby, and Henry Marten. It will be observed that among the excluded were nearly all those who were connected with Cromwell through the Hampden and Barrington families, the Gerrards, Knightleys, Pye, Lukes, Waller, Trevor, and that those remained sitting who were nearest akin to him, his brother-in-law Walton, his son-in-law John Jones, his first cousin Edmund Dunch. These, the Long Parliament being virtually at an end, supported their kinsman in his rise, some with greater and some with less willingness, and were presently recruited by all those officers of the army whom the Protector from time to time, by the marriage of a sister, daughter, or niece, bound to his interest.

To deal first with his three remaining sisters, Anne had become the wife of Mr. Sewster, a quiet man who made no reputation, but left behind him a daughter. This daughter, Oliver's niece, became the wife of Sir William Lockhart, famous alike as a soldier and a diplomatist. In the latter capacity he acted as the Protector's ambassador in France, where he showed himself fully equal to coping even with Mazarin himself. In the former—laying aside at the call of duty his pen and red tape—he took the command of the English force on the Netherlands frontier and made his master's reign famous by the capture of Dunkirk. So high, indeed, was his reputation for

skill and integrity, that Charles II continued him in his post at Paris.

Oliver's sister Jane married Major-General Desborough, who sat on the trial of the king, but did not sign the death warrant.

Robina, his youngest sister, married firstly, Peter French, canon of Christ Church, Oxford, and secondly, Wilkins, Bishop of Chester, and is only remarkable as the ancestress, unless I am mistaken, of Archbishop Tillotson.

It is a circumstance which has been the subject of comment that the Protector, in choosing a wife for his eldest son and successor, Richard, betrayed no particular ambition, though at the time he had attained a high pitch of power. He married him to the daughter of a Hampshire gentleman of respectable position but neither of great wealth or long descent, and in seeking for him this match, which he did with some anxiety, he appears to have been moved by a genuine and single desire to obtain for him a good and religious helpmate. Dorothy Mayor's sister, as has been mentioned, married a Dunch of Pusey, in whose house the letters relating to the negotiation have been preserved.

Henry Cromwell, the Protector's younger son, whose name is often connected with that of Dorothy Osborne, married Elizabeth Russell, a daughter of Sir Francis Russell, member for Cambridge-shire. Her sister married the valiant General John Reynolds, sometime commander of the Protector's bodyguard, and by him sent in charge of the troops despatched to France to act against the Spanish Netherlands. General Reynolds gallantly captured Mardyke and was shortly afterwards drowned in crossing the Channel, leaving the affair of Dunkirk to be finished by Lockhart.

Of the Protector's daughters, Bridget married Henry Ireton, who was afterwards lord deputy of Ireland, and was said by the royalists to be the only man of whom Cromwell stood in awe. The marriage took place in 1646, during the siege of Oxford, and five years later Ireton died. He was cousin to Colonel John Hutchinson, of Owthorpe in Nottinghamshire, the husband of that Lucy Hutchinson who kept a diary, and the son of Sir Thomas Hutchinson. Both the colonel and his father sat in the Long Parliament, and Ireton is said to have had considerable influence over them. After her first husband's death Bridget married Major-General Fleetwood.

Of Oliver's three remaining daughters, Elizabeth married John Claypole, master of the horse to the Protector and a member of his Other House. Mary married the earl of Fauconberg; and Frances became the wife of the Hon. Robert Rich, grandson of Cromwell's friend the earl of Warwick. Losing him, she married her brother Henry's brother-in-law, Sir John Russell, son of Sir Francis, of Chippenham.

There is a document in Carlyle's letters which was signed in 1647 by the thirteen principal officers of the army, Cromwell being one of the signatories. No less than seven of the others—Ireton, Thomas Hammond, Robert Hammond, Whalley, Desborough, Pride, and Sir Hardress Waller—were his connexions or near relatives. Among the 140 persons appointed to sit as judges upon the king's trial, some sixteen are found who were more or less closely allied to Cromwell, though several took no part in the proceedings and probably disapproved of them. The sixteen were Valentine Walton, John Jones, John Desborough, Henry Ireton, Edward Whalley, Richard Ingoldsby, Sir John Barrington, Sir John Bourchier, Sir W. Masham, Thomas Hammond, Sir H. Waller, Thomas Pride, William Goffe, John Hutchinson, Humphrey Salwey and Richard Salwey—though the tie between Oliver and the last three can scarcely be counted. Among the 59 judges who signed the warrant for the king's execution, Oliver and ten kinsmen may be numbered; the ten being Valentine Walton, Henry Ireton, John Jones, Edward Whalley, William Goffe, Thomas Pride, Richard Ingoldsby, John Bourchier, Hardress Waller, and John Hutchinson—Henry Marten also, if Mr. Frederic Harrison be right in regard to him.

It is to be noted that, though the men who were related to Cromwell through the Barrington and Hampden families gave him for the most part no countenance or support at this time—in and about 1649—they gradually rallied to him again as he lived and prospered and restored order. In his parliament of 1656 many of the old names crop up again. There were returned to that parliament Edmund and John Dunch, Richard Hampden (son of John Hampden) Robert Barrington, Sir Richard Everard, Sir Francis Russell, two Trevors, Richard Norton, Sir Walter St. John, Francis St. John, three Ingoldsbys and Sir John Hobart, together with three Whalleys, Henry and Richard Cromwell, Goffe, John Jones, Desborough, Fleetwood, H. Waller, Claypole, and Sir John Reynolds: altogether 27, of whom more than a score were certainly connected with Oliver by blood or marriage.

Mr. Frederic Harrison has inserted in a note to his little volume a list of men and families in whom runs more or less of the Protector's blood, a list astonishing in its comprehensiveness. But it is only with persons who were akin to him during his life that this article pretends to deal, and even within this limit the writer has very probably overlooked many points with which he should have dealt, and failed to note many names which might have been mentioned.

STANLEY J. WEYMAN.

The Plantation of Leix and Offaly

OF all the allies of 'Silken Thomas' there was none more loyal to him in the hour of his distress than his brother-in law, Brian O'Connor, prince of Offaly. When Gilpatrick O'More, chief of the O'Mores of Leix, allowed himself to be seduced to the English side, O'Connor remained faithful to his allegiance, and together with O'Brien, prince of Thomond, bore the brunt of lord Leonard Grey's displeasure. In the spring of 1537, only a few weeks after Kildare's head had fallen on Tower Hill, a great hosting was instituted against him, and the lord deputy advancing by unaccustomed paths into his territory, then a vast wilderness of bog and forest-land, expelled him from the country, razed his fortresses to the ground, and appointed Cahir O'Connor, whose ambition had led him into treasonable practices against his brother, chief in his stead. The expedition was deemed 'a notable exploit;' but before the year had expired O'Connor had returned to his old haunts and was soon as strong as ever. Truly, as St. Leger wrote to Cromwell, the country was much easier won than kept; 'for unless it be peopled with others than be there already, and also certain fortresses there builded and warded, if it be gotten the one day it is lost the next.'¹

The task of suppressing O'Connor seemed hopeless, and partly for this reason, partly also perhaps because his conscience reproached him for his excessive severity, Grey offered him terms of peace. The negotiations begun in the open fields of Offaly were concluded at Dublin, where O'Connor humbly submitted himself to the king's mercy. He promised for the future to behave as a faithful and loyal subject, to renounce the pope and to abstain from levying black-rents and other unlawful exactions on the lieges of the Pale. To his submission he added a petition that he and his issue might be made freemen and liegemen after the manner of the English, that he might be created baron of Offaly, that he might be allowed to hold to himself and his heirs of the king's gift, and according to the English laws 'that portion of Offaly which he possessed there by partition, after the manner of the country,' that the same privilege might be extended to his brothers and other possessors of

¹ *State Papers*, Hen. VIII, ii. 536.

land in Offaly on condition of paying an annual rent of 3s. 4d. per plough-land, and of allowing their lands to be 'burdened with and occupied by men of war for the defence of the subjects of the king,' whenever the lord deputy thought fit, or necessity required, after the manner of the inhabitants of the Pale.²

No attention appears to have been paid to his petition, but during the remainder of Grey's viceroyalty O'Connor faithfully adhered to the terms of his submission. No sooner, however, had the reins of government been transferred to lord justice Brereton, than he was again up in arms. His conduct greatly irritated Henry, who wrote:—

Our pleasure is you shall have good regard and specially to that traitor O'Connor, with whom we would you should in no wise take any peace, unless necessity enforce; but rather, if you may, expel him entirely his country, which we shall be content to give to his brother Cahir, so as the same Cahir will leave the Irish faction and be obedient to our laws and frame himself and those which shall be under him to the manner and kind of living of the English Pale.³

Brereton accordingly did his utmost to bring the rebel to his senses, 'to the destruction,' as he wrote, 'of his corns, prostrating of his habitations, burnings, spoilings, and other annoyances to him extremely committed;' nevertheless it proved beyond his power to expel him from his country, and he was fain to make a virtue of necessity and accept O'Connor's offers 'which were to stand to his first covenants comprised in indentures.'⁴ O'Connor subsequently repeated his request to be made a baron, and to hold his lands by grant of the crown. His petition was supported by Sir Anthony St. Leger mainly on the ground of the estimation in which he was held by Irishmen generally, 'and the rather, for that he desireth the same but during his life, whereof we be very glad for that thereby his brother Cahir, which hath always served his majesty, when the other was an offender, is not excluded to succeed him in that seignory, whereunto by their custom he is entitled.'⁵

Thus supported, his petition was favourably received by Henry, who intimated his intention of creating him a viscount. But unfortunately before this was done O'Connor had again incurred the royal displeasure. What precisely was his object or reason in throwing off his allegiance on this occasion it is difficult to understand. But whatever his reason or whether indeed he had any reason except an innate dislike to all authority whatever, no sooner had the ship which carried St. Leger to England faded beyond the horizon than he and Gilpatrick O'More were again up in arms, nominally on behalf of the exiled house of Kildare. Without a moment's loss of time Sir William Brabazon invaded Leix and

² *Cal. Carew MSS.* i. 137.

⁴ *Ib.* iii. 241.

³ *State Papers*, Hen. VIII, iii. 233.

⁵ *Ib.* iii. 519.

Offaly, which he burnt and plundered as far as the hill of Croghan, but 'without receiving either battle or submission ;' for, as usual, the Irish, on the approach of the enemy, had at once retired into their bogs and fastnesses, where it was impossible to follow them. But no sooner had the royal army retired than O'More and Rory O'Conor, Brian's son, emerged from their hiding-places, burnt the town and monastery of Athy, ravaged the borders of the Pale and slew a number of persons both English and Irish. Thereupon the lord-justice again invaded Offaly and remaining there for fifteen days burnt and destroyed whatever had escaped in former raids. Leaving a garrison at the Dingan (the modern Philipstown) he proceeded into Leix, where he was joined by the Earl of Desmond. Here also he remained for fifteen days ravaging the country far and wide with such ruthless severity that the minor chieftains were glad to accept the amnesty offered them and to abandon O'Conor and O'More to their fate. Thus deserted, the two chiefs with their more immediate retainers fled across the Shannon into Connaught.

About the beginning of 1548 the fugitives recrossed the Shannon at the head of a considerable body of wild kerne ; but so cowed were their uriaights and tribesmen, through terror which the power of the English inspired, that none dared even afford them food or protection. Nevertheless with such forces as they could muster, O'Conor and O'More managed for a time to maintain a most determined guerilla warfare along the borders of the Pale, and it was not till the winter brought them face to face with starvation that lord-chancellor Alen was able to report that the 'arch-traitor' O'Conor had been compelled to submit. His life, Alen added, had been promised him in order to induce O'More and the rest to follow his example. When that happened he advised that they should have 'honest entertainments' provided for them in Calais or Boulogne ; but on no account were they to be allowed to remain in Ireland, in which case, he predicted, Offaly and Leix would be as easily kept in order as was the Pale.⁶ Before the year expired O'More had likewise submitted, and he and O'Conor were shortly shipped off to England, where they were promptly clapped in the Tower. They were probably not very harshly treated, but the close confinement of prison life ill-agreed with them, and before many weeks had passed away Gilapatrik O'More died.

The two chiefs being thus safely out of the way the government proceeded to direct its attention to the settlement of Leix and Offaly. The idea at first seems to have been to restore the natives to their lands on conditions similar to those granted by Henry VIII to Turlough O'Toole.⁷ The plan received the sanction of the privy council, and in June 1549 the lord deputy was instructed to trans-

⁶ *State Papers*, Ed. VI. i. 129, 130.

⁷ *Morrin, Cal. Pat. Rolls*, i. 81.

mit 'the names of such as you think good to have restored, with the certainty of the lands to be restored.'⁸ But some time in the following year, probably in October, a petition was presented to the Irish government on the part of a number of gentlemen, government officials for the most part, in which they offered in return for a grant of 'all the possessions, both spiritual and temporal, of Leix, Irry, and Slievemargy, which were under the O'Mores and their followers at the time of their rebellion within Leix, with all the Dempsies country,' except such portions thereof as should be reserved to the castles of Lea and Carlow, or to the natives, who, it was stipulated, should not be removed 'for that they served the king's majesty' against the rebels, to undertake the plantation of these countries, to pay an annual rent of 600*l.* Irish, to keep fort Protector wardable and garrisoned, and in general to provide for the defence of the marches. Amongst the signatures attached to the petition appeared the well-known names of Sir Gerald Aylmer, chief justice of the king's bench, Sir Thomas Luttrell, chief justice of the common pleas, Sir John Travers, master of the ordnance; Patrick Barnwall, master of the rolls; Walter Peppard, and Francis Cosby.⁹

It is possible that this scheme, so moderately conceived, may have originated with Sir Anthony St. Leger, who had again, though much against his will, been appointed lord deputy in succession to Sir Edward Bellingham. That he was in favour of a judicious plantation policy in Leinster, and more particularly on the borders of the Pale, is undoubted. His appointment took place in July 1550, but before leaving England he had submitted three points for the consideration of the privy council. First, as to their intention in regard to O'Connor; second, as to his authority to make grants of land in Leix and Offaly; third, as to the advisability of treating Irishmen with 'more humanity, lest they by extremity should adhere to other foreign powers.' To his queries answer was returned that for the present O'Connor was to remain in England, that the granting of lands in Leix and Offaly was to remain an open question, and that he was to use his discretion in regard to the treatment of the Irish, 'to use gentleness to such as shall show themselves conformable, to others to do as occasion shall show.' In the meantime, as a temporary expedient, he was instructed to cause a survey to be made of Leix and Offaly, and to lease out portions, for periods not exceeding twenty-one years, at such rents as might be deemed advisable, allowing the farmers one or two years rent free, as he might deem fit, in order 'to encourage them to dwell upon the same.'¹⁰

Accordingly, in the month of February 1551, and at different periods throughout the year, a number of leases were made to

⁸ *State Papers*, Ed. VI, ii. 46.

⁹ *Ib.* ii. 69.

¹⁰ *Ib.* ii. 55, 57.

gentlemen resident in the Pale, and to soldiers who had been instrumental in suppressing the rebellion.¹¹ The lands assigned comprised portions of the modern baronies of Warrenstown, Coolestown, Upper and Lower Philipstown in King's county, and of Portnahinch, Maryborough East and West, Stradbally, Cullenagh, and Ballyadams in Queen's county. According to the terms of the lease, as finally settled, it was provided that the lessee, and after his death his sufficient assignee, should dwell upon the premises; that no assignment should be made without the approval of the lord deputy and council; that the lessee should not cause any of the lands to be inhabited by any of the name of O'More or O'Conor, or of such surname as were possessors in the country of Leix or Offaly; that every person inhabiting should have sufficient weapons to serve the king and for his own defence; and, finally, that he should bear his proportion of all cesses for the safeguard and furniture of the king's forts.¹² In some of the leases also there is inserted, sometimes in St. Leger's own handwriting, a reservation to the crown of all goshawks and tercelts reared on the premises.

The scheme, however, was not immediately successful. On 17 August, 1551, Sir James Croft, who had succeeded St. Leger, was instructed to report as to the working of the plan, and whether it had led to a diminution of the expenses of government and the strengthening of the royal authority in the country.¹³ In his reply the lord deputy strongly urged the necessity of reducing Leix and Offaly to shire ground, of erecting manors, and of letting the land by copyhold tenure.¹⁴ His suggestions were accepted by the privy council, and Croft was authorised to take order—

That the said two countries be reduced into the nature of a shire or of two shires, if the largeness of the country be answerable, and thereof to make either one or two shirereeves as the case shall require. And then for the letting of our lands within the same countries we would they were reduced into manors in such sort as the same shall by you be thought most convenient; and thereupon the lands and tenements severally let as by copy of court roll for three lives at the most, as the like custom is used in divers parts of our realm of England, especially in the west parts of the same.

At the same time he was charged to take special care 'for the preservation of our woods and such other royalties as the same for lack of good foresight in the beginning be not wasted and destroyed.'¹⁵

The proposal to constitute them copyholders did not, however, meet with the approval of the planters, and on 26 Jan. 1552 the lord deputy and council signified to the privy council—

¹¹ *Cal. of Fiantis*, Ed. VI, No. 599, 661.

¹² See lease to Francis Cosby of Kildare, gent. 15 March, 1551. *Cal. of Fiantis*, Ed. VI, No. 724.

¹³ *State Papers*, Ed. VI, iii. 48.

¹⁴ *Ib.* iii. 54.

¹⁵ *Ib.* iii. 73.

That the said countries being upon a frontier and many of the freeholders yet living, some in exile and some in extreme poverty, will be glad to take advantage and by all ways and means possible to fatigate the inhabitants, so as they shall not be able without great cost and charges in building and defending thereof to keep it ; which cost and danger no man will sustain without estate of inheritance.¹⁶

To this communication the privy council replied on 29 May, regretting that the work proceeded so slowly, but rather than that the scheme should fail entirely they had resolved that—

As much of the same lands as may be letten by copy of court roll for certain lives, according to the custom of the west part of this realm and in like cases, shall be so granted with the reservations of the rent according to the surveys, or better rent as the same may be borne. And the rest of the land, specially whereupon the tenants shall be forced to build and bestow great cost for the guard and defence thereof to be granted by copy of court roll to the tenants and heirs males in estate tail, with like reservations of rent according to the survey or better if the same may be.

But in the distribution of lands great regard was to be had ‘that there may be such a multitude of tenants in regard of the farms than to have many farms heaped into one man’s hands, whereby both the lands shall be worse used and the country weaker of people.’¹⁷

Here, however, the matter rested for a time, either because the government was too much occupied with other and more pressing business, or because the terms offered were not sufficiently tempting. But with the accession of Mary and the reappointment of St. Leger as deputy, the question of the projected plantation was resumed. This time the lord deputy was instructed to make grants by ‘piece-meal’ of the said countries of Leix and Offaly, in fee simple, with reservation of a small rent, and of such services in time of war as should be thought necessary, at the same time carefully providing that the grantees should be ‘bound to build houses for husbandmen, appointing to every tenant a mean portion of ground to be kept in tillage as near as they conveniently may, so as the said countries may be well replenished with houses and inhabitants for the manuring and defence of the same.’¹⁸

But now, just when the scheme seemed fairly afloat and preparations were being made to carry it into execution, the energies of all were paralysed by a rumour of O’Conor’s release and restoration. Already, in the spring of 1552, the news that he had managed to escape from the Tower had caused considerable excitement in official circles, which had only been allayed by the report of his speedy recapture. On the accession of Mary, however, his daughter, Margaret O’Conor, repaired to England, and by the influence of her connexions at court and her own knowledge of the English

¹⁶ *State Papers*, Ed. VI. iv. 4.

¹⁷ *Ib.* iv. 48.

¹⁸ *Ib.* Mary, i. 2.

language, succeeded in obtaining her father's release. His restoration, hailed with satisfaction by the Irish, was by no means so pleasing to the Irish government, and shortly after landing he was re-arrested on a charge of fomenting disturbances in Offaly and promptly confined to Dublin Castle. There he remained until 1560 when he managed to effect his escape, after which he disappears from history, and his son Donough takes his place.¹⁹

About the end of May 1556 St. Leger resigned the reins of government into the hands of Sir Thomas Radcliffe, subsequently created earl of Sussex. His instructions in regard to Leix and Offaly were most explicit. It is our special desire, so ran the order, that the said countries and the rest of our whole realm should by authority of parliament be made shire ground and divided into sufficient and reasonable counties as our realm of England is. Further, provided the O'Conors, O'Mores, O'Dempseys and other native inhabitants showed an inclination to submit, it was thought desirable that their countries should be divided into three parts, and that the third part lying to the west, along the Shannon, should be assigned to them in free socage tenure at an annual rent of two-pence an acre, with the proviso that no man of the same sept should have above two ploughlands or 240 acres in his own possession. It was to be left to the Irish themselves to decide which of their own septs should be created freeholders; but every one so chosen was required to answer the laws of the realm at sessions and assizes, to keep on his estate not more than one man for every ploughland 'except the same be English, or of their own sept, and he to be no idleman but a labourer,' to pay his rent duly twice a year, to attend the constable of the fort when summoned to do so, to answer for himself and his household personally once a year, to avoid the woods and to dwell in houses built of stone or timber, to keep open all fords and fastnesses between his lands and those occupied by the English, to keep weapons only for his own protection, to refrain from intermarriage with the Scots and to reside continually on his estate. A persistent neglect of these conditions was to be punished by forfeiture of the estate; while the wanton destruction of his neighbour's castles or houses, or the keeping of unlicensed fire-arms was to be treated as felony punishable by death. Nevertheless it was to be left to the discretion of the lord deputy and council to temper or modify these conditions in any particular they thought advisable. If the terms were accepted by the O'Conors, the lord deputy was authorised to restore their old chief to liberty, 'to end the rest of his days in peace, among his children and kin.' So much for the third part to be assigned to the natives. As for the other two-thirds lying along the border of the Pale, three ploughlands were to be assigned to each of the two forts 'for maintenance of the constables and guards thereof.'

¹⁹ *State Papers*, Eliz. ii. 7.

The rest was to be distributed amongst English subjects, 'as well such as be born in England as Ireland, having respect to men of honesty and good service, and such as have most need and be likeliest to do good thereon.' Like the natives they were to hold their estates in socage at a yearly rent of two-pence an acre and generally under similar conditions and restrictions. Only in addition they were to be obliged 'to keep for every ploughland one man at the least of English birth, a native and he to be an archer, and not above one of the Irish blood and birth upon pain of forfeiture;' and to provide 'harness' for themselves and for one man for every ploughland. Three ploughlands, or about 360 acres, was to be the outside limit of any estate, which was to be immediately forfeited by non-residence.

We desire, concluded the instructions, that all other lands, conquered and evicted from rebels, traitors, and enemies shall be ordered, demised, and granted to our loving subjects, English and Irish as well in Leinster as Ulster and the rest, *i.e.* two parts to Englishmen born in England or Ireland and the third part to Irishmen of birth and blood, heartily praying our said deputy to consider every man, specially our good soldiers and such as serve well, as we doubt not he will, with such indifference and reasonable good favour in the distribution of the said lands that the good may take courage to continue their well doing and be example to evil to amend their faults and to do better hereafter as well for duties sake as preferment.²⁰

At first there seemed a fair prospect of inducing the O'Conors and the rest to submit quietly to the new order of things, and the letters of Sussex detailing his efforts in that direction were couched in a most hopeful strain. On 4 Oct. 1556 he wrote, he had an interview at the Dingan with Donough O'Connor and his brother Rory 'with the rest of the gentlemen and usurped inhabitants of Offaly,' who showed themselves willing to surrender their lands and to receive back such portions of them and upon such condition as should be granted them. As a pledge of good faith Donough placed himself in the deputy's hands. A second parley followed on 15 Dec. and so amenable to reason did the O'Conors appear that Sussex released Donough, merely binding him and his brother to repair to Leighlin in Christmas week, there to receive for themselves and the rest, whose names they were to bring with them written in a bill, such portions of their territory as should be then assigned to them. But before the time appointed arrived, Donough had changed his mind and broken out into open rebellion followed by Connel O'More. Whereupon the lord deputy, after giving him one or two days' grace, hanged his hostages and prepared to prosecute him with fire and sword.²¹ Ere long O'More's body was swinging in chains from Leigh-

²⁰ *Cotton MSS.* Titus B. xi. ff. 464-7.

²¹ *Cal. Carew MSS.* i. 262-4.

lin Bridge and O'Connor was being hunted from one fortress to another with daily diminishing strength.

It was under these circumstances that the parliament, which was to authorise the confiscation of Leix and Offaly, assembled at Dublin on 1 June, 1557.

Where, so runs the Act 3 & 4 Philip and Mary, cap. 7, the countries of Leix, Slievemargy, Offaly, Irry and Glenmalier, which belong of right to the King and Queen's most excellent majesties were of late wholly possessed by the Mores, the Conors, the Dempseys and other rebels, and now by the industrious travail of the Earl of Sussex, now Lord Deputy of Ireland, be brought again to be in the possession of their majesties, and so remain to be disposed as to their highnesses shall be thought good: forasmuch as the well disposing of the foresaid countries and planting of good men there, shall not only be a great strength to those quarters, but also a wonderful assurance of quiet to all the rest of the English countries and a great terror to all Irish countries bordering upon the same, therefore, at the humble request of the lords spiritual and temporal and the commons of this realm, be it enacted by our sovereign lord and lady the King and Queen's majesties, etc., that the aforesaid Earl of Sussex,²² now Lord Deputy, shall have by virtue of this Act full power and authority, during the time he shall be Lord Deputy there, to give and grant to all and every their Majesties' subjects English or Irish born within this realm or within the realm of England, at his election and pleasure such several estates in fee simple, fee tail, leases for term of years, life or lives of all and every the lordships, manors, castles, patronages of benefices, lands, tenements and all other hereditaments temporal, with their appurtenances, parcel of any of the said countries or to any of the said countries of right appertaining or belonging, as for the more sure planting and strength of the countries with good subjects shall be thought unto his wisdom and discretion meet and convenient.

Accompanying this act was another, 3 & 4 Philip and Mary, cap. 8, entitling the crown to Leix and Offaly, and erecting those countries into shire ground as Queen's county and King's county respectively.

But it was one thing to pass an act of parliament, and quite another to be in actual possession, as Sussex soon discovered. Expelled from one stronghold after another, the O'Mores and O'Conors rallied amongst their woods and bogs, whence they issued forth from time to time spreading disorder and desolation to the very borders of the Pale. The few settlers that still clung to their homesteads trembled for their very existence. One of them, Walter Peppard, who had a lease of some lands in Slievemargy, afterwards declared that he had lost seventeen 'tall' men, while defending his property at this time.²³ In May 1558 the rebels with Donough O'Connor at their head mustered in such force as actually to

²² The act, it may be remarked, curiously enough restricts the power of making estates to Sussex.

²³ *State Papers*, Eliz. vii. 24.

lay siege to the castle of Maryborough, or, as it was then called, Fort Protector. The garrison under Sir Henry Radcliffe had, however, little difficulty in beating them off, and in a skirmish that followed Francis Cosby managed to slay 'thirty or forty of the best of them,' killing with his own hand, 'which could not have been done by no man else,' one Richard Oge, a bastard Geraldine and a man of enormous stature and strength.²⁴ But it was quite clear that until the country was reduced to a more settled condition, and the turbulent spirits that disturbed it either expelled or killed, any successful plantation was out of the question. The disorders of the realm were acknowledged to be such, owing to the rebellion of the O'Conors and O'Mores and the daily access of the Scots, as to require extraordinary force for their suppression.²⁵ The army was accordingly augmented, the salary of the deputy raised, and instructions issued for a more vigorous suppression of the rebels.

The death of Mary and the accession of Elizabeth did not materially affect the situation. In July 1559 the Earl of Sussex, who still retained the reins of government, was instructed to lose no time in putting the plantation into execution.²⁶ But the year passed away without anything having been accomplished. In 1560 the instruction was renewed still more explicitly. If the season of the year was too far advanced for building houses and towns 'as were best,' the deputy was to exert himself to reduce Leix and Offaly to order, distributing certain portions thereof 'as ye shall perceive that ye may have convenient persons to take and inhabit the same.'²⁷ The lord deputy's answer was not encouraging. Ireland, he asserted, would never be reduced to order until the Earl of Kildare was removed. Then and not till then would it be possible to plant Leix and Offaly with good effect.²⁸ But after dabbling in treason for a time, Kildare, before it was too late, came to the conclusion that loyalty was his best policy. Not so, however, the unfortunate O'Mores. About Christmas 1560, a number of them assembled in the neighbourhood of Holy Cross Abbey in Tipperary for the purpose, apparently, of settling some dispute amongst themselves as to the chieftainship of one of their septs. But their movements were suspicious, and it was reported that messengers from Shane O'Neill and the Earl of Desmond were busy instigating them to rebellion.²⁹ Before, however, they had time to mature their plans, whatever these may have been, the Earl of Ormonde suddenly swooped down upon them, dispersed them, and took several of their principal men prisoners. How far, indeed, Shane O'Neill was con-

²⁴ *State Papers*, Mary, ii. 50.

²⁵ *Cal. Carew MSS.* i. 272.

²⁶ *Ib.* i. 281.

²⁷ *Ib.* i. 291.

²⁸ *Ib.* i. 302.

²⁹ It was admitted that Shane O'Neill had offered them protection and assistance if they would remove into his territory; but they had replied 'that so long as they could get whereof to live in their own country they would be loth to go so far.' *State Papers*, Eliz. iii. 2.

cerned in fomenting these disturbances it would be difficult to say; but of the fact itself there can be little reasonable doubt. His attitude at this time wholly absorbed the attention of the government. Perplexed and baffled by him, Sussex would gladly have taken his life by fair means or foul, only Shane was too wary to allow himself to be entrapped. But in Oct. 1561, he consented to a truce negotiated by the Earl of Kildare, and shortly afterwards left Ireland on his memorable visit to Elizabeth.

To Sussex, the occasion seemed a favourable one to put into execution the long deferred plantation of Leix and Offaly.³⁰ Accordingly, on Nov. 27, he announced his attention of dividing the confiscated countries into baronies and of making estates to the inhabitants. He was sanguine of completing the business within a fortnight, but a fresh obstacle immediately presented itself. The survey upon which the plantation was to be based, was found on examination so imperfect in many important respects as to be absolutely useless, and until the defects were remedied nothing could of course be done. So ordering a new survey to be made, Sussex returned to Dublin.³¹ It was not till the beginning of 1563 that matters were sufficiently advanced to allow the plantation to proceed. In that and the following year, however, a number of grants were made to Englishmen and Irishmen, servitors who had been mainly instrumental in suppressing the rebellion, and who, having won their lands by the sword, might be safely trusted to defend them with the same weapon.³²

Very different was the appearance of the country thus allotted to the planters then-a-days, to that which it now presents with its luxuriant green crops and fields of waving corn. The Slievebloom and Slievecomar mountains, the bog of Allen and the great heath of Maryborough still, it is true, remain its most distinctive features. But the vast forests of oak, of wild pine and yew, with their tangled underwood of alder and hazel that then covered the whole country, rendering it almost inaccessible to any save the wild wood-kerne, have long ago disappeared, though here and there, as in the demesne of Droughtville, vestiges of them still remain. Lord Leonard Grey's expeditions and those of Sir Edward Bellingham had done much to open up the district lying along the Pale. Passes had here and there been cut through the woods, bridges thrown across the rivers, and forts erected in commanding situations to curb the natives. But between the Slievebloom mountains and the Shannon the country was practically a *terra incognita*; while the woods of Glenmalier and Iregan and the mountainous district

³⁰ *State Papers*, Eliz. iv. 61.

³¹ *Ib.* iv. 75, 81.

³² Instead of burdening these pages with a list of the original grantees, it may perhaps suffice to refer the reader to the accompanying map, where I have endeavoured to indicate the locality of their estates, and to the summary of the inquisition of 1622, at the end of the present article.

between the Barrow and the Nore long remained the impenetrable strongholds of the O'Mores and O'Conors, and of such as in the official language of the day 'pretended ownership' to the lands which they saw gradually passing into the hands of Englishmen. Even in the middle of the seventeenth century, when the woodman's axe had played sad havoc among these ancient forests, the country was described by Boate as throughout full of woods 'some whereof are many miles long and broad.'³³ Interspersed among the woods and bogs were wide tracts of rich arable and pasture land, which in other and more peaceful times would have rendered the planters an envied race of men. As it was, living exposed to the constant attacks of the ancient proprietors and in danger of having their houses fired over their heads, their crops destroyed, and their cattle houghed or stolen, the prospect before them was very far from enviable. Of the former plantation, if we may dignify it by the name, not a trace remained. Of the lessees for twenty-one years hardly one was left. Some had perhaps fallen in the struggle, but the most had fled ignominiously at the first rising of the Irish.³⁴

According to the conditions of the new plantation each grantee was required to hold his estate in tail male by knight's service at an annual rent of twopence per acre during the first seven years and of threepence ever afterwards. He was to attend when called upon for the defence of the country, with the greater part of his servants and tenants, armed, and with victuals for three days; to maintain a certain number of foot and horse proportionate to the size of his estate; to give one plough-day for each plough on his lands, or to do such work as the constable of Philipstown or Maryborough might appoint. Further he was required not to use the Brehon law in respect to any subject answerable to the laws of the kingdom; his sons and principal servants were to use the English language, dress, and manner of life in so far as they reasonably could. Once every year, on 1 Sep. he was to appear personally before the constable or sheriff of the county with all the men under his control, between the ages of sixteen and sixty, to answer for their behaviour during the past year. He was not to maintain any man of Irish blood accustomed to bear arms and born outside the country except with the permission of the constable of the fort and of a majority of the free tenants of the county. He was to keep open or closed as required all fords and passes on his lands. He was not to destroy any castle, bridge, pavement, or togher, except such fords as adjoined the Irish districts. He was not to take part in any forays or receive payment for the same. All women having dower or jointure out of his lands were to be bound by the same conditions. No alienation was to be made except of one-third for life to younger sons. He was to reside continually on his estate and not to marry or make confraternity with

³³ *Natural History* ch. xv.

³⁴ *State Papers*, Eliz. xv. 29, 30,

any Irish not amenable to the laws of the kingdom: nor was he to suffer coyne and livery or any other exactions of the nature of black-rent to be levied by outside persons. Finally there was reserved to the deputy or his representatives power to alter such watercourses as was thought fit, and to cut down as much wood and underwood as might be necessary for building purposes in the county.³⁵

Certainly the conditions attached to the grants were not such as will justify the ordinary opinion that the planters obtained their estates on easy terms. Whatever it might be elsewhere, every foot of ground in the eastern marches of King's and Queen's county was deluged with blood before it passed finally into the hands of the English colonists. It is also worthy of notice that, whatever may subsequently have been the policy of English statesmen, there was at this time no intention or wish on their part to rob the Irish natives of their lands. The one object they had at heart was to secure Ireland to England; to establish the supremacy of the English laws in the island; to reduce the Irish to one homogeneous mass by substituting for the old Celtic relations of chief and clansman the more modern ones of landlord and tenant. Had the Irish been content to accept this new system, had they been willing to abandon their wild and free and, to Englishmen, lawless manner of life, there would have been no question of a plantation at all. Each chief would then have become simply the owner of the lands of his tribe, with his clansmen for his tenants. That the change would have been in the direction of a higher standard of civilisation can hardly admit of question. Doubtless the old Irish life had many charms, but it had its disadvantages at the same time. So long as the clan system prevailed, no sense of a national unity was at all possible. Its destruction entailed terrible suffering on the Irish, but I cannot allow that there was that wanton display of cruelty on the part of the English which has been attributed to them by certain writers. It is a doctrine born of modern thought that the English had no right to interfere in Ireland at all; that, left to themselves, the Irish would have developed into an independent and united nation. But, however this may be, and there seems little ground in history for its justification, it is certain that to the statesmen of the sixteenth and seventeenth centuries the heritage of the Norman conquest was not a thing easily or lightly to be abandoned. For the Irish there is much to be said. They fought bravely and died heroically in a cause which must ever arouse our interest and claim our sympathy.

At first everything went as well as could have been expected with the planters. Small predatory bands of dispossessed proprietors, taking advantage of the long winter nights, wandered up and down the country stealing cattle and burning outlying haggards; but

³⁵ *Cal. of Fiants, Eliz. No. 474.*

they were few in number and the garrisons at Philipstown and Maryborough had little difficulty in holding them in check. But as the year 1564 advanced, their depredations grew more frequent, and those who were familiar with their movements predicted a new rebellion.³⁶ In February they made a raid into county Kildare and narrowly missed capturing Sir William Fitzwilliam's sister, who owed her escape to the fleetness of her horse.³⁷ The necessity for vigorous action was apparent. On 15 March the earls of Ormonde and Kildare and Sir Henry Radcliffe were appointed to hold a parley with them. If possible they were to persuade them to abstain from keeping armed retainers, from levying blackmail, from wandering up and down the country in riotous companies, and to give pledges for their future peaceable behaviour. If these conditions were rejected then the O'Mores and O'Conors were to elect representatives to confer with the lord deputy and council, and a *modus vivendi* to be arranged satisfactory to both parties. In the meantime both sides were to abstain from all acts of hostility.³⁸

The plan, no doubt, was well adapted to meet the wishes of the planters, who were anxious at all costs to avoid open war, the burden of which would have fallen upon them most heavily. But Elizabeth's pride was touched, and she sharply reprimanded the council for tolerating the rebels, instead of suppressing them with the sword.³⁹ Sussex, who was heartily sick of Ireland, pleaded illness and was allowed to retire to England, but his deputy, Sir Nicholas Arnold, was only too ready to take Elizabeth at her word. Cormack O'Connor, old Brian's son and his younger brother Cahir, were reported to be hanging about the borders with six score idle wood-kerne, ready for any mischief so soon as the nights began to lengthen out, and Arnold, suspecting that Callough O'Connor, to whom Sussex had allotted a small estate, was only waiting his opportunity and the approach of Cormack to return to his old courses, promptly arrested him and clapped him in the fort of Philipstown.⁴⁰ It was an ill-advised step. Callough's brothers, Art and Lisagh, were immediately up in arms, and Callough himself, though heavily ironed, soon managed to effect his escape. Even then he offered to go to Dublin and exonerate himself if the lord justice would grant him a safe conduct. But Arnold would listen to no terms. Thereupon the war broke out.

The O'Conors, being joined with the O'Mores, burned and pillaged in all directions. They were few in number, but they were supported by the neighbouring Irish septs, and in a short time inflicted an enormous amount of damage on the Pale. Several of the planters, including John Apprice, lost their lives. Houses and villages went up in flames, and it was estimated that no less than 3,000 head of cattle that they were unable to drive away

³⁶ *State Papers*, Eliz. x. 12.

³⁸ *Ib.* x. 31.

³⁷ *Ib.* x. 17.

³⁹ *Ib.* x. 47.

⁴⁰ *Ib.* xi. 1, 65.

were slaughtered by the rebels. The country was immediately raised against them; they were proclaimed traitors by name; all outlets from the King's county and Queen's county were closed; pledges taken from the Macgeoghegans, O'Carrolls, and other neighbouring clans; the forts strengthened; the planters admonished to stand on their defence as required by their patents, and special instructions sent to the earls of Ormonde and Kildare, Sir Francis Cosby and Captain Colley, to prosecute the rebels with fire and sword. Against such a sudden display of force all opposition was useless. Callough O'Connor, who had fallen sick shortly after his escape, was killed by the hand of a near kinsman at the instigation of Kildare and his head sent to Dublin. His followers were everywhere hunted down like wild beasts. Before the end of October the rebellion had been practically extinguished. At least ninety of the O'Conors and thirty-five of the O'Mores, it was calculated, had been slain or executed by martial law. Small bands of eight or ten individuals still prowled up and down among the bogs, especially in Leix, where the nature of the country rendered their retreat secure; but nothing further was to be apprehended from them than the occasional burning of an outlying house or barn, a thing impossible to be avoided, Arnold averred, even had the rebels been fewer in number and the garrisons four times stronger than they were.⁴¹ During the winter the grim work of extirpation still went on; but there was little to reward the zeal of the hunters save now and then the head of some insignificant rebel, hardly worthy of being sent to Dublin, 'pickled in a pipkin,' like that of Shane O'Neill. Utterly prostrated by the storm that had swept over them, it was a long time before the O'Mores and O'Conors caused any serious anxiety to the government.

Meantime the plantation flourished apace. The planters, it is true, were not without their grievances, and as a rule indifferently fulfilled the conditions of their grants; but Sir Henry Sidney, who paid a visit to Maryborough in January 1567, reported that

There was such obedience showed and used as well of the soldiers and English there lately planted as of the Irishry there inhabiting, as considering the infancy of any good order in that country, was marvelled at by as many as saw it, and so was also the great increase of tillage that through quiet was there seen.⁴²

During the 'Butlers' war' (1569) Leix, and more particularly the eastern parts, suffered severely from midnight raids and border forays, but the damage done was of a temporary nature and speedily repaired, while Offaly under the wise and temperate government of Henry Colley continued to increase daily in strength and prosperity, to the gratification of all concerned. For the misfortunes that followed, Elizabeth was herself largely to blame. Already in

⁴¹ *State Papers*, Eliz. xi. 97.

⁴² Collins, *Sidney Papers*, i. 18.

the beginning of 1571 Sir William Fitzwilliam and others noticed that the O'Mores were growing restless. In the summer of the preceding year, Sir Henry Sidney had executed 'two notable malefactors,' Lisagh M'Kedagh O'More and his brother Cahir. But the removal of Lisagh had only raised into prominence a much more formidable disturber of the peace in the person of Rory Oge O'More. Rory, who appears to have anticipated a like measure of justice for himself, gathered together the remnants of his tribe, to the number of 'six score swords,' and went upon his keeping, which was invariably the preliminary step to open rebellion; 'how be it,' wrote the council on 23 March, 'he hath as yet done no harm.'⁴³ But the time was ripe for rebellion. Everywhere the Irish were up in arms expecting assistance from abroad. Only a fortnight after their last despatch the council had to report that Rory had joined Feagh M'Hugh, chief of the O'Byrnes of Wicklow, and that together they had done incredible damage to the Pale.⁴⁴ A year passed away, but the situation instead of improving grew perceptibly worse. Yet this was the moment taken by Elizabeth to reduce the army. Well might Fitzwilliam's heart sink within him when he read the 'Book of Articles' and saw the 'general jolity' which the order had infused into the Irishry. Rory, who had recently shown himself more peaceably inclined, now broke loose again, successfully eluding every effort to capture him. Finally, after rejecting any offer of protection or pardon, he consented to parley with Ormonde and Kildare at Kilkea Castle. When required to disperse his followers and give security for his good behaviour, he flatly declined unless assured of his life and estate. Harvest time was approaching, and after consulting with Cosby, a fortnight's truce was arranged, Rory undertaking meanwhile not to damage the corn.⁴⁵ But he had no intention of keeping the peace, and hardly was Ormonde's back turned, than he was again up in arms, burning and plundering in the usual fashion. There were plenty willing enough to help him, now that the days of the English rule seemed numbered. The O'Conors, the sons of Macgeoghegan and Feagh M'Hugh, were all anxious to lend a hand in expelling the hated intruders, and in recovering the land for themselves. The districts that suffered most severely from their ravages were Kildare, Queen's county, and parts of King's county and Westmeath. So bold were they, Fitzwilliam wrote, that companies of forty, eighty, and sometimes even more than two hundred would march twelve and even fifteen miles through Kildare, breaking up the bawns, driving off five or six hundred head of cattle at a time, plundering the inhabitants of their household goods, and that 'by fair daylight with bag-pipes and by night with torch-light, because they should neither be heard of nor seen.'⁴⁶ Some sort of

⁴³ *State Papers*, Eliz. xxxi. 33.⁴⁵ *Ib.* xxxvii. 37.⁴⁴ *Ib.* xxxii. 2, 9.⁴⁶ *Ib.* xxxviii. 51.

order was preserved in King's county by the exertions of Owen M'Hugh O'Dempsey, the 'wise government' of Colley and the hearty co-operation of the settlers; but as for Queen's county it was 'in a very dangerous case,' and like to be lost entirely unless speedily provided for. When the news reached Elizabeth she railed loudly against Cosby for his culpable negligence and ordered his immediate punishment. Fitzwilliam, more just than she was, refused however to condemn him for what he had been unable to prevent.

Few men knew Ireland and Irishmen so well as did Fitzwilliam. In his opinion there was only one way by which the safety of the menaced plantation could be permanently secured. He was anxious to submit his plan to the queen and council personally, but was ordered to commit it to writing. The 'device for recovering the Queen's county from the O'Mores' is too lengthy to quote in its entirety, but the following extracts from it possess considerable interest.

There is in the upper part of the Queen's county west a waste plot of ground called Galin, containing in arable, pasture, wood, and mountain two thousand acres. And there Rory Oge O'More now dwelleth. This Galin is a gap out of Kilkenny, Tipperary, Ossory and Ely, and the rebel being once within that waste plot hath a scope of twelve miles all mountain, wood, and bog to the Barrowside joining upon Carlow and Leighlin direct south from Galin. . . . Out of these wastes, as out of fortresses, in small companies or great, as occasion requireth or as the turn is best served, the rebel issueth into the heart of the Queen's county and thence into every part of the Pale adjoining, spoiling the same at pleasure. . . . To banish the rebel of the said mountain and bog, first must Galin be inhabited by dutiful subjects: and for the inhabiting thereof there are three commodious seats joining upon it—the Abbey of Leix, the castles of Cullenagh and Ballyroan. The two first are the earl of Ormonde's and Sir Barnaby Fitzpatrick's, who are to occupy them either by themselves or by such as they will answer for. The third is one Davy Hetherington's who hath utterly forsaken it, being unable to keep it. Galin itself is her Majesty's, wholly unprofitable to her. In both Ballyroan and Galin one Owen M'Hugh, a dutiful Irish subject, hath undertaken to dwell and inhabit, yielding therefor as other freeholders so he have presently, or else not at all, estate thereof made unto him. And then presently this spring and summer, for prevention of the injuries of winter, he hath further undertaken to dwell there himself and to plant there at his own cost one hundred householders at the least.

It had long been a grievance with the planters that by the terms of their grants they were prevented from making longer leases than for twenty-one years. A movement had been set on foot to obtain the alteration of the tenure of their estates in tail male into one in fee simple; but nothing had been done in this respect though the proposal seems to have met with Cecil's approbation.⁴⁷ To this

⁴⁷ *State Papers*, Eliz. xxx. 38.

neglect Fitzwilliam now attributed the present miserable condition of the country.

For (not being themselves able to occupy their lands, nor no other dutiful subject willing to bestow his time, travail, and cost for so uncertain a term in a place where he must be in continual hazard of his life and goods, for the O'Mores being banished it will be but a border) of necessity they have been enforced and shall be to use the manurance of the natural followers of the O'Mores—a great cause of their increase to the decrease of the Englishry. By alteration of the states there shall grow not only advantage to her majesty but also furtherance to her service. For where now the freeholders are tied to habitation but by a covenant which maketh no forfeiture, the words in the new grant may so be inserted as shall either tie them to habitation and not suffer the lands to be possessed by the O'Mores as now they are, or else cause them in default to forfeit the states.⁴⁸

Elizabeth expressed her approval of Fitzwilliam's suggestions, especially as to making a grant of Galin to Owen M'Hugh, and some modifications were subsequently introduced into the patents of the freeholders, but for the nonce nothing could be done.⁴⁹

Bad as was the state of affairs in the spring of 1573 it rapidly grew worse, and the lord deputy trembled to think what might happen during the long winter nights.⁵⁰ In Queen's county Rory Oge, like another Robin Hood with his merry men, reigned supreme, living at free quarters wherever he went. Too terrified to offer any effective resistance the inhabitants gladly secured immunity from outrage by paying blackmail to the rebels; for Rory was quick to retaliate, as a certain Mr. Fitzharris, who had shot one of his kerne discovered when he found himself besieged in his castle, and his cattle and crops destroyed.⁵¹ As the summer advanced the disorders spread into the King's county. So dangerous indeed was the aspect of affairs that Colley, to whom the queen owed 2,000*l.* for the defence of Philipstown, found it necessary, at the hazard of his life, to make his way to Dublin in order to solicit an additional hundred men for the defence of the country.⁵² The total force at Fitzwilliam's disposal amounted only to 664 foot and 100 horse. Half the horse were at Lecale, and the other half at Newry. Of the foot 100 were in Munster and 264 at Newry; 300 only remained. Of these 100 were forthwith sent into King's county under the command of Captain Furies; while with the remaining 200 Fitzwilliam prepared to go in person to suppress the O'Mores in Leix.⁵³ The resolution was not taken a minute too soon. A number of O'Conors, some of great lineage, had recently been captured, and it was intended to execute them at Philipstown. Their companions attempted a rescue and attacked the fort. They were repulsed, but in the struggle

⁴⁸ *State Papers*, Eliz. xl. 3.

⁵¹ *Ib.* xli. 9.

⁴⁹ *Ib.* xli. 59.

⁵² *Ib.* xli. 60.

⁵⁰ *Ib.* xl. 48.

⁵³ *Ib.* xlv. 72.

Robert Colley, Captain Colley's nephew and a brave servitor, was slain. His death was felt to be a severe blow to the plantation; he left an only daughter, 'a comely young maiden of sixteen,' and Burghley was urged to repair the loss as speedily as possible by matching her to some 'young lusty gentleman.'⁵⁴ She subsequently married Captain, afterwards Sir Edward, Moore, who did valiant service against the O'Conors.

It was the end of July before Fitzwilliam was able to take the field against Rory Oge and his allies. With the force at his disposal he could make little impression upon the rebels, except 'by plaguing some of their maintainers.' After two months' harassing warfare the O'Mores offered to submit, and to put in pledges, 'liable to hanging,' 'for their quiet and dutiful manner of life.' It was an impotent conclusion to come to, as Fitzwilliam well knew, but he was fain to accept the conditions offered.

'I seemed,' he wrote to the privy council, 'of favour to grant, though indeed I saw cause of necessity to condescend to this conclusion, as well for that I wanted every man wherewith to prosecute the matter and perform it to the full. . . . as also for that I am presently to employ the force I had there, partly against the O'Conors, who now infest the King's county as much as ever the O'Mores did the Queen's, and partly for the guard of the northern borders where things wax very suspicious.'⁵⁵

In truth the state of King's county was as bad as it well could be.

'If your honour,' wrote Colley to Fitzwilliam, 'do not send better force than is here, both of horsemen and footmen, and that with speed, here will be neither corn nor anything else left without the castles and the town of Philipstown. . . . On Thursday night last they burned the last of the Englishmen that were without castles.'⁵⁶

Every day witnessed a fresh increase in the forces of the rebels. Cormack O'Connor, who had spent several years in exile, was at their head with a body of Scotch islesmen, lying securely in Fox's country, and taking meat and drink at his pleasure in Macgeoghegan's country, ready to emerge whenever a favourable opportunity presented itself. Fitzwilliam accordingly, having settled with the O'Mores for a time, posted to Jordantown; but finding the country so miserably wasted proceeded no further.⁵⁷ After a hurried consultation with Colley, when it was determined to increase Furres's company and to raise 200 kerne under the leading of Owen M'Hugh, and 80 more under Edmund Cary, the lord deputy moved on to Dublin.⁵⁸

During the winter King's county continued in a state of siege. In all his forty years' experience of Ireland, Colley declared he had never seen it in a worse state than it then was. It grieved him to the heart to see so many Englishmen slain and murdered, 'weeded

⁵⁴ *State Papers*, Eliz. xli. 80.

⁵⁵ *Ib.* xlii. 70.

⁵⁶ *Ib.* xlii. 49. ii.

⁵⁷ *Ib.* xliii. 6, 20.

⁵⁸ *Ib.* xlv. 72.

out as the butcher would choose fat wethers, and so put to slaughter accordingly.' ⁵⁹ As for Fitzwilliam, he was at his wits' end. The queen contented herself with railing at Cosby as the cause of all the mischief; but neither money nor men seemed forthcoming. To add to his misfortunes Rory Oge delayed so long in putting in his pledges that it was manifest that he was only waiting his opportunity to revolt again. In his desperation the deputy determined, hazardous though he knew the experiment to be, to levy a cess on the Pale, and, much as he disliked the idea, to entrust the prosecution of the rebels to the earl of Kildare. But the arrival at this critical juncture of 300 veterans under Captain Morgan rescued him from his dilemma. The task of recovering the King's county was at once committed to Captain Edward Moore, who laboured with such success that on 10 June, 1574, the lord deputy was able to notify that he had effectually expelled the O'Conors and done everything to provide against a recurrence of similar disturbances by taking pledges from O'Molloy, Macgeoghegan, and the rest of the Irish borderers. ⁶⁰

All immediate danger was at an end, but what a scene of desolation presented itself to the planters as they retook possession of their estates. Nothing remained of all their years of toil and trouble save a heap of charred timber and blackened stone. At Colley's earnest request a number of them were retained in the queen's pay till they had time to rebuild their houses. ⁶¹ But the damage done was not easily or for a long time repaired. Fitzwilliam was authorised to make regrants of estates vacated either by death or treason of the original grantees to suitable persons. ⁶² But the prospect before them was not sufficiently attractive to induce Englishmen with capital at disposal to embark in the enterprise, while as for those needy adventurers, who were beginning to swarm into Ireland and who would gladly have jumped at any offer, they were not the sort of men government wanted. It was difficult to find English labourers willing to cultivate the land on the most advantageous terms, and as a natural consequence the farms fell mostly into the hands of Irishmen. Sir Henry Sidney, who succeeded Fitzwilliam, declared that the whole revenue of King's and Queen's counties did not equal one-twentieth part of the charge the crown was at in preserving them. The purchase had been a dear one, but not to be abandoned at any cost, though in Sidney's opinion it furnished 'an example how the like hereafter is attempted, considering the charge is so great, and the honour and profit so small to win lands from the Irish so dearly as these two countries have been to the crown.' ⁶³ The misfortune was that Cormack O'Connor and Rory Oge were still at large. When Sidney was at Kilkenny in December 1575, Rory came to him on a safe conduct of the earl of Ormonde and in the cathedral church

⁵⁹ *State Papers*, Eliz. xlv. 14.

⁶⁰ *Ib.* xlv. 71; xlv. 54.

⁶¹ *Ib.* xlv. 79.

⁶² *Ib.* l. 3.

⁶³ *Sidney Papers*, i. 83.

of St. Canice humbly submitted himself, 'repenting his former faults and promising hereafter to live in better sort.'

During 1576 the situation rapidly improved; so much so that the garrisons in King's county were considerably diminished. It was a fatal blunder, and one of which the rebels did not fail to take instant advantage. Uniting their forces, Rory Oge and Cormack made a raid into King's county on Christmas eve, burning haggards and houses, and doing damage to the extent of 200*l*.⁶⁴ Before the colonists had well recovered from their surprise the rebels had advanced as far as Naas in county Kildare, which they almost utterly consumed. It was night time, the gates were wide open, the walls broken down, and not a single guard on duty. The rebels, wrote Sidney,

Ran through the town, being open, like hags and furies of hell, with flakes of fire fastened on poles ends, and so fired the low thatched houses; and it being a great windy night one house took fire of another in a moment. They tarried not half an hour in the town, neither stood they upon killing or spoiling any.⁶⁵

From Naas, Rory proceeded to Leighlin Bridge, his force ever increasing as he went till it numbered between two and three hundred men. At midnight they attacked the town. Roused from his slumbers Carew boldly sallied forth with seven horsemen and five musketeers and drove the rebels off, but not before half the town had been consumed by fire. Such outrages were not, of course, committed with impunity. Numbers of the rebels were cut off daily by the queen's forces, but for the nonce fortune seemed to smile on Rory. Not only did he successfully elude every effort made to catch him, but by a piece of good luck he managed to entrap Captain Harington, the lord deputy's nephew, and Alexander Cosby, who had incautiously attempted to parley with him.⁶⁶ To recover them by force was out of the question, and Sidney was placed in the humiliating position of having to treat with Rory for their release. But Rory declined to treat at all, except on such terms as Sidney indignantly declared he would never consent to, even to liberate his son Philip.⁶⁷ However, after many futile attempts, 'spiced with that policy to allure the rebel better to bite at the bait that all things almost he required were agreed unto,' a plan was at last hit upon which proved successful. What the plan was we are not explicitly informed by Sidney; but we may well understand his silence if the event he records is the same as that which is known in history as the massacre of Mullaghmast. In describing the event to the privy council he merely says that Robert Harpole, to whom the honour of having conceived the plot is attributed, having surrounded the cabin, wherein Rory O'More

⁶⁴ *Sidney Papers*, i. 216.

⁶⁵ *Ib.* i. 166.

⁶⁶ *Ib.* p. 216.

⁶⁷ *Cal. Carew MSS.* ii. 255.

lay with fifty soldiers, beset the place, recovered Harington and the rest of the prisoners, and killed all that were in the house, save Rory and another, who, 'by reason of the darkness of the night and the greediness of the soldiers, each man to win credit,' managed to escape. He, however, adds that—

In the interval, betwixt Harpole's coming unto the house and the breaking open of the doors upon the rebels, Rory, hearing a sudden noise and suspecting he was betrayed, put on a resolute and desperate mind to do some mischief, and guessing at the place where Captain Harington lay (the house being dark and without light) gave him in a moment divers wounds, though none deadly or maim unto him save only the loss of his little finger on the left hand.⁶⁸

Undismayed by this hair-breadth escape Rory soon collected a fresh band, and on 8 Nov., just as day was beginning to break, made a sudden descent on the town of Carlow. Harpole, with half a score of horsemen, was soon on his track, and coming up with him as he was about to recross the Barrow, inflicted a sharp defeat upon him, killing seventeen or eighteen of his followers.⁶⁹ His persistence, and the support he received from the neighbouring clans, obliged Sidney to adopt more effectual measures for his suppression. Ordering Sir William Drury and Sir Nicholas Malby to close the outlets on the side of Connaught and Munster he himself advanced to Kilkenny, arriving there on Christmas Day. He had heard that it was in Kilkenny and the surrounding district that Rory was in the habit of deriving his chief support. A few preliminary inquiries soon satisfied him

both that the mechanical and mean sort and some of the principal and best sort of the town had from time to time relieved the rebel both with victuals and all other necessities for feeding and defence; and the country in like sort, to be the retreat and sink to receive the rebels' goods, foster their children, maintain their wives, and in any other sort they could from time to time to relieve and help them.

A number of suspected persons were accordingly arrested and a sessions appointed for their trial; but the juries refused to convict, and Sidney was obliged to cite both juries and prisoners to appear in the council chamber, where he promised they should speedily

⁶⁸ *Sidney Papers*, i. 229; *Cal. Carew MSS.* ii. 355. In thus identifying the event here recorded with the massacre at Mullaghmast, I frankly admit I may be mistaken. Mr. Bagwell, to whom I desire to take this opportunity to express my very great obligations, relying on an entry in the *Annals of Lough Cé*, ventures to place the massacre as a separate item under the year 1567 (*Ireland under the Tudors*, ii. 130-1). But his argument appears to me very inconclusive. It is incredible, in my opinion, that an event which created such a profound impression on the minds of the Irish should have escaped notice in any of the numerous state documents of the time. Sidney's silence as to the nature of Harpole's plan is to me very suggestive, and leaves little doubt in my mind that Rory O'More was cruelly betrayed and his little company foully butchered in the manner recorded by Dowling and the Four Masters *sub anno* 1577.

⁶⁹ *Sidney Papers*, i. 230.

be taught their duties in the queen's causes.⁷⁰ Meanwhile, the chase after Rory waxed hotter and hotter. So close on his heels were his pursuers at times that his escape seemed little short of miraculous. His followers had been cut down from 500 to 50; there was a heavy price set on his head, but there is no saying how long he might have contrived to hold out had he not, with characteristic foolhardiness, ventured to put his head in the lion's mouth. Of all his pursuers there was none more vehement against him than Sir Barnaby Fitzpatrick, baron of Upper Ossory. In order, therefore, to entrap him, Rory caused a story to be brought to the baron's ears how that he, with a small company of rebels, laden with a great store of 'pots, pans, pewter, nappery, linen, and other household stuff and implements,' might be easily waylaid, provided sufficient care were taken not to alarm him by coming with too many soldiers. The bait took; but not in the way Rory anticipated. For the baron coming to the appointed place with a strong force, Rory had no sooner shown himself on the edge of the wood than he was immediately attacked, and being thrust through with a sword was hacked to pieces by the soldiers.

'And this,' wrote Sidney, 'was the end of this rank rebel, the last day of June in the morning, who by the maintenance of his neighbours and supply of aid and relief of some of his friendly borderers, which he wanted not in the time of his necessities, had so long continuance to the charge of her Majesty and disquiet of the State.'⁷¹

Rory Oge's death relieved, but it did not materially alter, the situation. His rebellion had indeed been only a part of a much wider movement directed against the extension of the English authority in the island.⁷² There were plenty to take his place, though few could expect to play the part of Robin Hood so brilliantly as he had done. In Queen's county small detachments of rebels still combined to prowl about, pilfering whatever they could lay their hands upon; but they were easily dealt with. A much more serious matter was a rumour of an intended rising on the part of the O'Conors in conjunction with the Burkes of Connaught; which, however, was frustrated by the sudden and unexpected appearance of Sir William Drury, to whom Sidney had committed the government, at Philipstown on Christmas day 1578. Drury was not the man to deal in half measures, cordially approving of Burghley's suggestion that the only way to 'reform Leix and Offaly was by extirpating the natives, the continual gall of these parts.'⁷³ But the practical difficulties in the way of such a course were so great, and the situation of the planters so deplorable, that he was the more easily persuaded to listen to certain proposals made to him

⁷⁰ *Sidney Papers*, i. 240.

⁷² *State Papers*, Eliz. lxii. 8.

⁷¹ *Ib.* i. 263.

⁷³ *Ib.* lxxv. 5, 6.

by Teige M'Gilpatrick, Cahil O'Connor, and Conor M'Cormack, on behalf of themselves and the O'Conors generally, for an amicable settlement of the question. Professing their willingness to abandon their old manner of life 'by taking other men's goods,' they begged him to assign certain portions of land to them, whereon they could settle and 'live by their own labour,' paying rent for the same as the rest of the planters.⁷⁴ Without giving any definite answer to their petition Drury arranged that they and the O'Mores should meet him at Dublin on Candlemas night to discuss the subject more fully. Meanwhile he communicated with the home government. To Elizabeth and her advisers such a solution of the difficulty could hardly fail to be acceptable. There was no desire on their part to push matters to an extreme issue, or oust the Irish from their lands, provided they would consent to live peaceably after the English fashion. All this business of plantation had sprung simply from the fact that the Irish would not accept the authority of England or consent to live after the English fashion. They refused to acknowledge themselves a conquered nation. Like the reed, they bent before the repeated storms that swept over them; but they would not break. Nevertheless, it was an expensive policy, and so far not a very successful one, and Elizabeth was only too eager to grasp at any pretext which promised to relieve her of the constant drain on her purse. Accordingly, Drury was informed on 8 April, 1579, that his plan of providing for the O'Conors and O'Mores 'by assigning them some portion of land in the outward parts of Leix and Offaly, which be not already given to others,' had received the sanction of the privy council, with the proviso that he should take sufficient pledges from them for the due performance of the conditions of their grants.⁷⁵

Unfortunately, just when things seemed ripe for a settlement, came the news of James Fitzmaurice's landing in Kerry on 18 July, 1579. Instantly all Ireland was in a state of excitement bordering on open rebellion, and it was hardly to be expected that the O'Mores and O'Conors, who had only been driven to submission by the extremity of their position, would fail to take advantage of this new opportunity to prolong their struggle for independence. Letters were intercepted from the earl of Desmond to Teige M'Gilpatrick, O'Connor, Conor M'Cormack, and the other chiefs, imploring them in the name of the pope and Philip of Spain to rise in defence of their religion.⁷⁶ But the government were wide awake to the danger of a general insurrection and kept a tight rein over them—a course which was rendered easier by reason of a feud that had broken out amongst the O'Conors themselves. In the spring of 1581 their attitude became slightly more menacing, and as the year advanced their disturbances on the borders of the Pale grew more and more

⁷⁴ *State Papers*, Eliz. lxy. 20.⁷⁵ *Ib.* lxvi. 29, 60.⁷⁶ *Cal. Carew MSS.* ii. 177.

serious. But the reckless severity with which these outrages were punished did not improve the situation. The new deputy, Lord Arthur Grey, Spenser's 'champion of true justice, Artegall,' was regarded by the Irish with suspicion, and his pardons pronounced to be delusive and treacherous. For one of his most trusted agents, Captain Mackworth, they conceived almost as deadly a hatred as they did for Captain Harpole, the prime mover in the massacre at Mullaghmast.

In May 1582 matters were brought to a crisis by the capture of Mackworth by Cahil O'Connor. Mackworth, it appears, was returning to Philipstown from Dublin late one Saturday afternoon, when he was met at Rosbrye in county Kildare by Cahil and a number of his followers who, under pretence of parleying with him, threw him off his guard, and carried him off to the woods. The news of this daring outrage no sooner reached Grey's ears than he ordered the sheriff of King's county, Henry Warren, to command Cahil to release his prisoner. But this Cahil absolutely refused to do, unless assured of his own safety under a royal pardon; Grey's, he declared, being absolutely worthless.⁷⁷ This not being forthcoming, and doubtless recalling to mind the fate of Rory O'More, Cahil promptly put Mackworth to death.⁷⁸ After this nothing remained for Grey except to make sharp war upon him, which he instantly prepared to do in person. But his success was by no means commensurate with his exertions. For the O'Conors, perceiving what must necessarily be the consequence of their action, dispersed themselves amongst their woods and bogs, where they determined to remain until the approach of harvest and the lengthening of the nights gave them a chance of retaliating with success.⁷⁹ After Grey's recall most of the O'Conors submitted, and, being pardoned, affairs returned to their normal condition.⁸⁰ Only Cahil, for whom there was no hope of pardon, still continued to hold out, eluding every effort on the part of the garrison at Philipstown to catch him.⁸¹

But the situation of Leix and Offaly was far from satisfactory. The plantation was in a languishing condition. Half the planters were either absentees, or were trying to dispose of their estates to others. The expenses of government not only consumed all the revenue derived from it, but constituted a heavy annual drain on the exchequer. It was under these circumstances that the plan of apportioning lands to the natives again suggested itself. The advisability of adopting this policy was fully developed in what purported to be a 'private memorial' addressed to Sir John Perrot,

⁷⁷ *State Papers*, Eliz. xcii. 40, 46.

⁷⁸ *Ib.* xcii. 89.

⁷⁹ *Ib.* xciii. 12, 14, 24, 56.

⁸⁰ *Ib.* xcix. 57.

⁸¹ *Ham. Cal.* iii. 29. Cahil eventually managed to escape into Spain, where he was known as Don Carolo.

who had just been appointed lord deputy; 'It is no policy,' so runs the memorial, 'to keep them (i.e. the O'Mores and O'Conors) in subjection by the sword without provision how they may live in a peaceable sort.' The best plan would doubtless be to transplant them into different parts of the realm, where they would have no chance of combining in rebellion.

But for that it may be doubted that the said parties, pretending a right to those countries where they do now remain, will hardly be drawn to remove out of the same, it may be considered if they cannot be persuaded to dwell in other places, how they may be placed to dwell in the said countries with allotment of some convenient portion of land thereof for their maintenance, and to live in such sort by such good order as may be taken in that behalf as they may be answerable to justice without annoying the inhabitants of the adjacent countries bordering upon them.⁸²

Curiously enough, there was at this moment presented to the government a scheme for the transplantation of one entire sept of the O'Mores into Munster. The proposal seems to have been made on behalf of one, James Meagh, *alias* O'More, by his brother, Thomas Meagh, long time a prisoner in the Tower, where his name, cut in the walls of the State prison, is still to be read. By him the scheme was communicated to a Mr. Ralph Lane, an Irish servitor, by whose co-operation it was to be carried into execution and by him in turn submitted with Perrot's approval to the queen. In his letter to Elizabeth Lane explains that

There are two septs or nations bred within the English Pale in Ireland, the one called the Mores, the other the O'Conors. These were sometimes lords and tenants of the two English countries called Leix and Offaly, and for their demerits, or otherwise upon such causes as seemed good unto their governors, were dispossessed of that their inheritance and the same lands given to divers Englishmen, who and their offspring do presently enjoy the same, and the other two nations afore mentioned and their offspring are quite thrust out and are sought daily to be cut off as they may. Nevertheless there be a great many of them still remaining that do live very savagely and very hurtfully to the government there in woods and bogs. And where aforetime they were gentlemen whilst they were in possession of the said land, now they are become kerne, they and their progeny, who are bred up in nothing but in robberies and murders, lying still in wait by all opportunities they can find to kill and spoil the present possessors of that which they take to be their right. And as themselves are never obedient to the government there otherwise than under protection, so are they ever ready to assist any whomsoever to rebel, as lately Baltinglas had a chief assistance by the sept of the Mores who are approved as valiant men generally as any Ireland breedeth. Now where the State hath out of necessity been heretofore enforced and still is constrained even to use great cruelty, sparing no sex of them, to the rooting

⁸² *State Papers*, Eliz. cvii. 35.

of them up, and yet by no means can either reduce them to good subjection or restrain them from doing daily spoils to the whole country and from procuring your Majesty's great charge whilst they remain there in the view of their daily eyesore, it is therefore offered by one of the chief of the sept to your Majesty's appointed deputy, Sir John Perrot, that the whole sept of the Mores shall be presently drawn out of your Majesty's country of Leix claimed by them into any part of Munster now uninhabited and fallen into your Majesty's hands, provided that they may have lands there laid out for them to manure and to live upon.⁸³

It was further urged that a similar course should be pursued in regard to the O'Conors, and that in the event of their refusing to transplant, the O'Mores should be authorised to make sharp war upon them.⁸⁴

Nothing, however, came of the scheme, owing possibly to the death of the prime mover in it, James Meagh, in the spring of the following year 1585. The chief interest it possesses for us lies in the vivid glimpse it affords of the feelings with which the Irish regarded the plantation, and in the fact that it originated with one of themselves. Of its subsequent revival by Sir Arthur Chichester we will speak presently. When Perrot visited Leix and Offaly in the summer of 1585 he found those countries in a state of unusual tranquillity, and the rigorous precautions which he then took to prevent a recurrence of the disturbances were attended with very beneficial results. From 1585 to 1596 the State enjoyed a practical immunity from the attacks of the O'Mores and O'Conors. Doubtless the fact that their leaders had either perished in the rebellion or, like Teige M'Gilpatrick O'Connor, had bowed to the force of circumstances and settled down for the nonce on lands allotted them by the State, contributed most of all to this result. The poorer sort, for whom no special provision was deemed necessary, doubtless entered into the service of the planters. It was from this class that the chief danger in the future was to be apprehended. They never, amid their new associations, forgot their old manner of life, and ever looked forward expectantly to the time when Owny O'More, the son of Rory Oge, the rising hope of their nation, should appear amongst them.

Meanwhile, however, the plantation took firm root. Houses and bawns arose here and there, woods were cut down, fields ploughed, and an era of prosperity began to dawn after the long years of constant fighting and bloodshed. But, as the period drew to a close, it was noted with some alarm that the O'Mores and O'Conors were again manifesting symptoms of restlessness, and that their 'garboils' on the borders were growing more and more frequent. Owny O'More, who had been fostered under Feagh M'Hugh O'Byrne, and

⁸³ *State Papers*, Eliz. cvii. 61 (1).

⁸⁴ *Ib.* cvii. 62.

had from his boyhood been versed in the wiles of Irish warfare, was, it was well known, only waiting his chance to emulate the deeds of his father, whose valour had doubtless formed the theme of many a stirring ode at his foster-father's feasts. He began his career, after the most approved fashion, by an attempt, while enjoying the lord deputy's protection, to surprise Alexander Cosby at Stradbally on 19 May, 1596. The attempt was not altogether successful, for his movements had been espied, and at the bridge across the Bauteogne he found himself confronted by Cosby, his two sons, and seven or eight retainers. After a brief parley, Owny, whose force outnumbered Cosby's by at least four to one, made a dash at the bridge, and, after a fierce fight, succeeded in forcing his way across. Cosby, his eldest son Francis, and several of his men fell in the fight; but Owny also suffered severely, and, after burning one or two villages in the neighbourhood, he withdrew with the remnant of his band.⁸⁵ Owny's attack was followed by a brief cessation of hostilities, Irishmen and Englishmen, as it were, holding themselves in readiness, while the great drama in which Tyrone played a principal part approached its climax. On 13 Oct. 1597 lord deputy Burgh died, and the government was entrusted to the lords justices Loftus and Gardiner. The opportunity was one which the Irish were not likely to neglect, and only a few days afterwards it was noticed that their attitude was everywhere becoming more menacing. In Leix and Offaly, indeed, the fire had already broken out. At Edenderry, Sir George Colley had his cattle driven off and his country harried to the very doors of his castle; while in Leix the zeal of the rebels was still further inflamed by a victory which they won over Sir Warham St. Leger and Captain Hovenden.⁸⁶ About Christmas the earl of Ormonde patched up a truce with the earl of Tyrone, and there was again for a brief season a nominal cessation of hostilities. But it was impossible to control the rebels of Leinster, who fancied they saw the hour of their deliverance at hand, and burned eagerly to expel the hated intruders. In April 1598 a letter was intercepted from Brian Reagh, a reputed son of Rory Oge's, and a notable rebel, to Tyrone, urging him 'to suffer us have open wars, for, by God's grace, there is no stand in the churls if your honour would set upon them now, for all Ireland had been at your command by this if it had not been for your truces.'⁸⁷ Every day the situation of the planters grew rapidly worse. Unable to cope with the rebels, the government were obliged to connive at their outrages, and, by granting them protections, to gain a momentary respite from their attacks. It was a worse than useless expedient, and, under colour of their pro-

⁸⁵ *State Papers*, Eliz. clxxxix. 46 (2). Cf. Hardiman's *Irish Minstrelsy*, ii. 161.

⁸⁶ *Ib.* 31 Oct.; 14 Dec. 1597.

⁸⁷ *Ib.* 6 April, 1598.

tections, the rebels burned and harried at their pleasure, so that the poor settlers did not dare 'to manure (cultivate) one foot of their land, or almost to look out of their castles, which they are now ready to abandon for lack of means to relieve them, their tenants being already departed from their dwellings and become rebels with the rest.'⁸⁸ A few of the colonists, like Peter Leicester and Sir Henry Warren, made a determined stand and drove the rebels off; but the earl of Ormonde complained that many of them yielded up their castles 'most vilely and cowardly without resistance.' But surrounded as they were by enemies, their own tenants taking part against them, it is hardly to be wondered that they should have grown timorous and lost their presence of mind. Ormonde and his brother, Lord James Butler, made several efforts, in one of which the latter lost his life, to relieve them; but after the fatal battle of the Yellow Ford on 14 August the colonists were left to their fate. During the autumn, Castle Croghan and Stradbally Castle, two of the strongest posts in Offaly and Leix, were captured by the rebels and their inmates put to the sword. Ballybrittan Castle, the seat of Sir Henry Warren, shared a similar fate, but was almost immediately recovered by the valour of the constable. Several of the planters, like David Flood, an old man of eighty, were foully murdered by the rebels. Their houses were burnt to the ground, their bawns pulled down, and years of patient toil and industry destroyed. The advent of the earl of Essex in the spring of the following year did not improve the situation. An expedition which he undertook through the heart of Leix narrowly escaped disaster, and it was with considerable difficulty and no little loss that he managed to cut his way out of the woods and defiles of southern Leix into the safer country of the earl of Ormonde. A subsequent expedition, in which Sir Conyers Clifford played a prominent part, proved equally useless, and when lord deputy Mountjoy arrived in the beginning of the new year, the situation of affairs was about as bad as it well could be.

On Wednesday night, 9 April, 1600, the newly appointed president of Munster, Sir George Carew, passing to the seat of his government, arrived at Kilkenny Castle, the residence of the earl of Ormonde, attended by the earl of Thomond and one hundred horsemen. Learning from Ormonde that it was his intention on the following day to hold a parley with Owny O'More on the borders of Idough, he determined to accompany him. Accordingly next morning they set off for the place of meeting, which was 'upon a heathy ground, descending towards a narrow strait having on either side a low shrubby, hedgy wood,' attended only by a small body of cavalry. Arrived at the spot, Owny O'More, with five hundred foot and twenty

⁸⁸ *State Papers*, Eliz. 1 June, 1598.

horse, 'the best furnished men for the war and the best apparelled' that Carew had seen in Ireland, soon appeared in sight, and leaving his men at some distance in the plain advanced to the parley. After an hour and more had been spent in talking to no purpose, Ormonde expressed a wish 'to see that infamous jesuit, Archer,' with whom 'he fell into an argument,' reproving him 'for seducing, under pretext of religion, her Majesty's subjects into rebellion.' While he was thus occupied Carew noticed with suspicion that Owny's men under cover of the shrubby ground on either side had managed to surround them. Calling Ormonde's attention to their danger they were preparing to withdraw when the Irish suddenly rushed upon them and dragging Ormonde from his saddle made him prisoner. Carew and Thomond, thanks to their horses, managed to escape; the latter, however, not without a bad pike wound in his back.⁸⁹ But whether it was that he was alarmed at the probable consequences of his action, or because he hoped thereby to secure better conditions from the government, Owny shortly afterwards released the earl. But he was soon to learn that the government of lord deputy Mountjoy was not to be thus insulted with impunity. Carefully inquiring from Ormonde how far he had compromised himself in order to secure his freedom, Mountjoy prepared to execute his purpose of extirpating Owny and his band of thieves. On 15 August he crossed the Barrow at Carlow with eight hundred foot and one hundred horse, and advancing slowly through Slievemargy he ravaged the country right and left, paying little heed to Owny's expostulations 'to stay his execrable and abominable course of cutting down the green corn.' The following day, dividing his forces, he sent a detachment under Sir Oliver Lambert through the upland districts, while with the rest he 'coasted along the plains,' still spoiling and burning as he went. Reuniting their forces at nightfall, they were joined by the earl of Ormonde with a considerable body of men. The same evening a messenger from Owny came into the camp with a letter 'desiring some gentlemen might be sent to him for conference.' Disdaining to answer him, Mountjoy handed the letter to his Irish fool, Neal Moore, who replied 'that there was none in the camp so base as to confer with him, but if he would come and submit himself on his knees to him, the said Neal, he would undertake that either his submission should be accepted or he should return safe.' The next day, as the army was marching along the valley of the Douglas, they spied the enemy on the neighbouring heights 'waving us to them with their swords and calling us, as their manner is, with railing speeches.' In the skirmish that followed Owny was mortally wounded, and, 'fearing his head would fall into the deputy's hands,' 'willed it to be cut off after his death and

⁸⁹ *Cal. Carew MSS.* iii. 380-2.

buried.' His death practically put an end to the rebellion ; for his successor, Owny M'Shane was a man of no spirit, and the O'Mores rapidly dispersed themselves 'by six and ten in a company, every man seeking to save his own.' Passing by Ballyroan, destroying the rebels' property as he went, and amused to find in one of their houses a picture of Queen Elizabeth fastened up behind the door, and at the other end of the room one of King Philip, Mountjoy crossed the Nore and entered the country of Upper Ossory ; but meeting with no resistance he retraced his steps. At the pass of Cashel, Donnel Spaniagh Kavanagh and a rout of rebels, collected from all quarters, threatened to intercept him. But at the last moment, deeming prudence the better part of valour, Donnel and his company 'drew up to the hill to see the success of the fight between us and the rest of the rebels, who charging us hotly were driven back through the wood and bog.'⁹⁰

It was a long time before the O'Mores recovered from the effects of Mountjoy's invasion, and the executions that followed. 'There is now,' he wrote in April 1601, 'no force left in all Leinster against her Majesty, but a few scattered thieves of the Mores and Conors, whom I refused to take to mercy.'⁹¹ Ere long the English settlers flocked back to their old abodes, and began to rebuild their ruined mansions. A season of peace and prosperity set in which was not seriously threatened till the outbreak of the rebellion of 1641. During the remainder of Elizabeth's reign events of much greater importance absorbed the attention of government, and it was not till the alarm occasioned by the landing of the Spaniards and the rebellion of Hugh O'Neill had passed away, that the affairs of Leix and Offaly again attracted notice. Making a circuit through that district in 1605, Sir John Davis reported that, owing to the English colonies planted there, the inhabitants went willingly enough to church, or rather would do so if there were churches for them to go to. At Maryborough a petition had been presented to him on behalf of the O'Mores, complaining that they had no church or priest to marry, bury, or baptise them, and Davis strongly urged the government to provide for their spiritual wants. Meanwhile he took order that the vicar of Maryborough should every Friday say divine service near the ruins of an old church within the parish.⁹² But to Sir Arthur Chichester, who had succeeded Lord Mountjoy, the general tranquillity of the kingdom seemed to furnish an admirable opportunity for putting into execution a more radical scheme of settlement than had hitherto been possible. Eighteen several times within the last sixty years, he declared, had the O'Mores and O'Conors risen in rebellion, only to be suppressed after great loss

⁹⁰ *Cal. Carew MSS.* iii. 430-3; 439-40.

⁹¹ *Ib.* iv. 40, 48.

⁹² *Russell and Prendergast's Cal.* i. 245, 468.

of life and treasure to the crown. At present their attitude was one of loyalty, but in a few years, when their strength increased, they would assuredly break out again, 'shooting at the recovery of their lands taken from them for their rebellion,' and prudence dictated that it was better to attack them than to wait to be attacked by them. His proposal was to transplant them bodily into some other parts of the kingdom, beginning first with the O'Mores and their followers, the Kellies, Lalors, M'Laughlins, Clandeboies, Dorans, and Dowlings. A certain Mr. Patrick Crosby, 'who hath a great interest in some of the chief of them,' had offered his services to remove them, and Chichester, warmly applauding his patriotic conduct, recommended that a grant should be made to him for that purpose of the seignory of Tarbet in Kerry, which had been passed to Sir John Hollis, 'who was soon weary of it, so that hitherto it hath yielded no benefit to the crown.'⁹³

Chichester's scheme received the approbation of James and his privy council, and authority was given him to employ force should other means fail to induce these recalcitrant rebels to transplant.⁹⁴ As for the O'Mores, when they heard of the project they instantly petitioned against it, declaring it to be contrary to equity and law, and to his Majesty's general and gracious pardon bestowed upon them by public proclamation, to dispossess them of their lands, holding them as they did by leases which they were ready to produce.⁹⁵ From James, however, they received little satisfaction. But Mr. Crosby soon discovered that he had undertaken a more difficult task than he had imagined. For a year and a half he laboured incessantly, but without the slightest success, to induce them to quit their holdings. Thereupon Chichester took up the business himself, and sending for one of the chiefs of every sept reprimanded them for their disobedience, and ordered them immediately to depart with Mr. Crosby. This, however, they flatly refused to do, 'making suit that they themselves might be made freeholders of Tarbet, for which (where Crosby was to give but 5*l.* to his Majesty per annum) they would give 40*l.* and so would depart without further trouble or coercion.

⁹³ *Russell and Prendergast's Cal.* ii. 59; 140-2. Patrick Crosby, or Mac Ui Crosain, was himself a mere Irishman, whose ancestors had been a sort of hereditary bards or rhymers to the O'Mores. I am indebted to Dr. Norman Moore for the following interesting note: 'The prefix Mac Ui, *i.e.* son of the grandson (of so and so),' says Dr. Moore, 'was used in old times by branches of a great tribe who had established themselves as independent tribes in another district, as *e.g.* in Antrim, a sept of O'Neill was known as the Mac Ui Neill Buide. And in our own times, I have known a native of Breifne who went by the name of Smith, and who was sent to herd cows in Connaught by the shores of Loch Orbsen. Irish was almost extinct in the district he had come from, but he and his excellent wife were soon at home among the Connaught men, who always called him in Irish, Mac Ui Grabhan, *i.e.* son of the grandson of Smith. Thus it is easy to see how the name Mac Ui Crosain, son of the descendant of the bard, was borne by the family who were bards to the chiefs of Leix.'

⁹⁴ *Ib.* ii. 403.

⁹⁵ *Ib.* ii. 194-5.

The council readily assented to their proposal, and the chiefs were dismissed to make preparations for their removal.

But upon their return into the country, when they had imparted their resolution to their friends and followers, and debated the matter jointly amongst themselves in their own factions, the septs would not yield superiority one to another, but in the end agreed with a general consent to make choice of Mr. Crosby, for whom they sent and desired him to undertake the business, promising that they would at his pleasure depart with him, some to Tarbet and others further into his land in Kerry, where he would dispose of them.⁹⁶

At last the matter seemed to have been satisfactorily settled. On St. Patrick's day, 1608, an agreement was arrived at between Crosby and the heads of the seven septs, whereby the former promised for himself and his heirs not to bear any malice for anything that had happened in the past; to assign lands to each chief and his heirs in Tarbet at a yearly rent of 1*l.* the ploughland, with other services; to provide for the rest, to the number of 289 persons, elsewhere in Kerry; to stand surety with the government for them, and to maintain and defend them in all lawful causes, and not to suffer them to be wronged or oppressed by any officers or others. On these conditions the O'Mores and the rest promised to quit their abodes in Queen's county and to migrate with him into Kerry before Midsummer day 1608.⁹⁷ But the year passed away and the summer of 1609 found the O'Mores still in their old haunts. At last Chichester was compelled to add force to persuasion, 'and so,' he wrote to the Earl of Salisbury on 17 June,

With the terror of the one and the travail and charge of Mr. Crosby, with the good assistance given by Mr. Pigott, an honest and discreet gentleman of that county, the business is now fully brought to pass and all the seven septs are departed thence, some into Thomond, more into Connaught, and most into Kerry with Mr. Crosby.⁹⁸

All that were left of these firebrands of sedition were some few children, 'bastards of that name,' living on the borders under foster-parents. These Chichester proposed to send into England, 'to put to occupations and other services, where they might forget their fierceness and pride.'⁹⁹ But the privy council thought it unnecessary to go to this trouble and expense for the sake of a few 'young imps,' who might very well be left to receive their 'breeching' from Patrick Crosby.¹⁰⁰ Perhaps the hint was sufficient for Chichester, or the experience he had acquired of the difficulty of transplanting the O'Mores may have taught him the advisability of letting well alone. At any rate he made no attempt to carry out his further project of transplanting the O'Conors; and when it was reported that the O'Mores were gradually flocking back to their old abodes he deemed

⁹⁶ *Russell and Prendergast's Cal.* ii. 444-5.

⁹⁷ *Ib.* ii. 455-7.

⁹⁸ *Ib.* iii. 216-8.

⁹⁹ *Ib.* iii. 240.

¹⁰⁰ *Ib.* iii. 264.

it best to wink at their disobedience.¹⁰¹ In 1622 the O'Mores were again so numerous in Leix that the lord-deputy Falkland found it necessary to suppress them with force.¹⁰² But to the English settlers their presence was a matter of small consequence. The plantation had taken firm root, and was as well able as any other part of the kingdom to resist any attempt on the part of the descendants of the dispossessed proprietors to restore the old order of things. In this same year 1622, a commission was issued to inquire into the general state of the plantations throughout the kingdom. After quoting the provision of the Act 3 & 4 Philip and Mary, cap. 7, and the original conditions of the plantation, and noticing how these were subsequently modified, the commissioners in their report held it their duty

to inform your Majesty that this plantation in the King's and Queen's counties, as it was well begun, so it hath prosperously continued and is for the most part well built and peopled by the English, and a great strength to the country and ready for your Majesty's service and their own defence ; and none of those English undertakers were disloyal at anytime since, but served the State and maintained their houses in the greatest extremities. And the owners of the said lands are most of them such as dwell and inhabit upon their plantations, which it were to be wished were pursued in all places of the plantations.¹⁰³

R. DUNLOP.

The following summary of the inquisition of 1622, giving the names of the proprietors in 1622, the extent of their estates, the original grantees, and how they were acquired, will probably be scanned with interest.

Proprietors in 1622	Estates in Queen's County		Original Grantees	How acquired
Ormonde, Earl of . .	Abbey of Leix .	820 acres	Earl of Ormonde, 5 Eliz.	Grant
" " " "	Straterrushog .	25 "	Arthur Tomen, 5 Eliz.	"
Londonderry, Earl of .	Ballynakill . .	— "	(1) Alex Cosby and Dorcas Sidney, 13 Eliz.	Query
			(2) Alex King and Richard Sutton, 9 Jac.	
Valentia, Viscount . .	Rathbrannon .	— "	Robert Eyre, 11 Eliz.	
St. Leger, Sir William.	Ballykmoyler .	435 "	Richard Keating, 5 Eliz.	Forfeiture (of original grantees, owing to breach of conditions in suffering coyne and livery in 1598. Grant, 19 Jac.
" " " "	Coltehenry . .	43 "	Walter Keating, 5 Eliz.	
" " " "	Ballymoyleran .	98 "	John Keating, 5 Eliz.	
" " " "	Colnergen . .	96 "	Edmund Keating, 5 Eliz.	
Metcalf, Dr.	Croughtenteyle	67 "	Thomas Keating, 5 Eliz.	Grant, 19 Jac.
" " " " " "	Stranellaugh .	42 "	Thady M'Donough, 5 Eliz.	
Crosby, Sir Pierce . .	Ballyfynan . .	48 "	(1) Morrough M'Connel, 5 Eliz.	Purchase
" " " " " "	Tyrre	84 "	(2) George Thornton, 3 Jac.	Query
" " " " " "			(1) Thady M'Murrough, 5 Eliz.	
" " " " " "	Clonrusk	— "	(2) Mathew Skelton, 13 Eliz.	Inheritance
			(1) Thomas Harding, 11 Eliz.	
Parsons, Sir William .	Downe and Ballyduff .	— "	(2) Patrick Crosby, 44 Eliz.	Grant
" " " " " "	Killinkillough .	92 "	William Parsons, 38 Eliz.	
Barrington, Alexander	Cullenagh . . .	427 "	(1) Earl of Kildare, 13 Eliz.	Purchase
St. Leger, Robert . .	Laawghe	88 "	(2) Sir John Davis, 11 Jac.	
			John Barrington, 6 Eliz.	Inheritance
			Thos. St. Leger, 5 Eliz.	"

¹⁰¹ *Russell and Prendergast's Cal.* iii. 453.

¹⁰² *Ib.* v. 395.

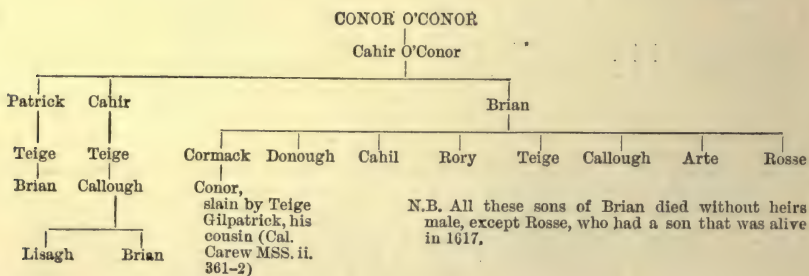
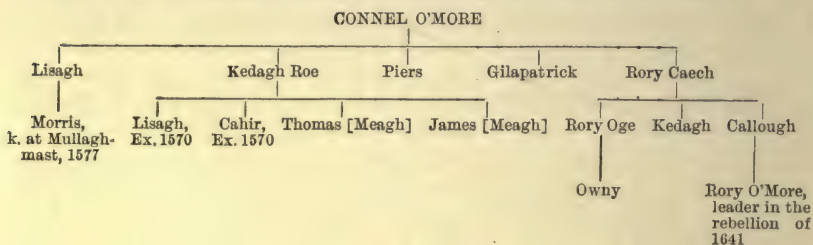
¹⁰³ *Sloane MS.* 4756, f. 81.

Proprietors in 1622	Estates in Queen's County	Original Grantees	How acquired
Graham, Sir Richard . . .	Rahyne and Dere . . . 717 acres	Mulmory M'Edmond, 5 Eliz.	Forfeiture of original grantees. Grant, 43 Eliz.
" " . . .	Dowarry . . . 184 "	Kedough M'Pers, 5 Eliz.	
" " . . .	Rahaspick . . . 100 "	Frayne O'Kelly, 5 Eliz.	
" " . . .	Cremogan . . . — "	Murtagh O'More, 12 Eliz.	
Pigott, Sir Robert . . .	Rahynduf . . . 60 "	" 5 Eliz.	Inheritance
Harpole, George . . .	Dysert . . . 760 "	John Pigott, 5 Eliz.	
" " . . .	Colvaneore, &c. 488 "	Robert Harpole, 6 Eliz.	Grant, 18 Jac.
" " . . .	Castlenoe . . . 434 "	(1) Terence M'Donnel, 5 Eliz.	
Whitney, Robert . . .	Kilmagobock . . . — "	(2) Patrick Crosby, 44 Eliz.	Inheritance
" " . . .	Syan . . . 1,520 "	Robert Harpole, 20 Eliz.	
Brereton, Henry . . .	Loughtyoge . . . 411 "	(1) George Delves, 5 Eliz.	"
Donnel, Fergus . . .	Tenekyll . . . 988 "	(2) John Whitney, 13 Eliz.	
Skelton, Martin . . .	Acregar . . . 312 "	Edward Brereton, 5 Eliz.	"
Day, Henry . . .	Slety . . . — "	Charles M'Turlough, 5 Eliz.	
O'Dempsey, Sir Terence	Clonkyne . . . 123 "	Hugh McCallough, 5 Eliz.	"
Butler, Edmund . . .	Ballybritish . . . — "	Mathew Skelton, 5 Eliz.	
" " . . .	Arleyne . . . 431 "	Thady O'Dowling, 5 Eliz.	Query
" " . . .	Desert Beaugh . . . — "	Owen O'Dempsey, 6 Eliz.	
George, Robert . . .	Killine . . . — "	(1) Donnel M'Gilpatrick, 5 Eliz.	Query
" " . . .	Corbally . . . 120 "	(2) Barnaby FitzPatrick, 19 Eliz.	
Baskerville, Walter . . .	Ballycaslan . . . 180 "	Barnaby FitzPatrick, 13 Eliz.	"
Cosby, Richard . . .	Stradbally . . . 1,385 "	Barnaby FitzPatrick, 6 Eliz.	
Loftus, Sir Thomas . . .	Tynnahe . . . — "	Ferganym O'Kelly, 5 Eliz.	Grant, 20 Eliz.
Davells, Pierce . . .	Knockancoo . . . 150 "	John Barnish, 19 Eliz.	
Downing, Samuel . . .	Trummoroghe . . . 193 "	(1) Francis Cosby, 5 Eliz.	Conveyance
" " . . .	" " . . . — "	(2) Alex Cosby, 35 Eliz.	
Lamden, Thomas . . .	Lands in Maryborough . . . 298 "	Francis Cosby, 11 Eliz.	Query
" " . . .	Lands in Maryborough . . . — "	Henry Davells, 5 Eliz.	
Eyre, William . . .	" " . . . 70 "	(1) David M'Murrough, 5 Eliz.	Inheritance
Hetherington, William	Towloughe . . . 124 "	(2) Francis Cosby, 11 Eliz.	
" " . . .	Ballyroan . . . 412 "	(3) Richard Cosby 6 Jac.	Purchase
" " . . .	" " . . . — "	(4) Edmund Meiderpond, 19 Jac.	
Wakeman, John . . .	Raleage . . . 92 "	Thomas Lamden, 11 Eliz.	Inheritance
Finney, Daniel . . .	Rahynhullen . . . — "	(1) John Ralph, 11 Eliz.	
Bowen, John . . .	Ballyadams . . . — "	(2) Thomas Lamden, 13 Eliz.	"
" " . . .	" " . . . — "	Robert Eyre, 5 Eliz.	
" " . . .	" " . . . — "	Patrick Hetherington, 5 Eliz.	"
" " . . .	" " . . . — "	(1) Jenkin Hetherington, 20 Eliz.	
" " . . .	" " . . . — "	(2) David Hetherington, 20 Eliz.	"
" " . . .	" " . . . — "	Nicholas White, 5 Eliz.	
" " . . .	" " . . . — "	William Finney, 11 Eliz.	Grant, 6 Jac.
" " . . .	" " . . . — "	Robert Bowen, 20 Eliz.	
" " . . .	" " . . . — "	" " . . . — "	Inheritance

Proprietors in 1622	Estates in King's County	Original Grantees	How acquired
Warren, Sir Henry . . .	Ballybrittan . . . 620 acres	Henry Warren, 5 Eliz.	Inheritance
" " . . .	Lyennemarren . . . 145 "	Richard Pepper, 5 Eliz.	
Colley, Sir William . . .	Edenderry . . . 387 "	Henry Colley, 5 Eliz.	Purchase
Herbert, Sir Jasper . . .	Monasteroris . . . 449 "	Nicholas Herbert, 5 Eliz.	
Moore, Sir John . . .	Castletown . . . 760 "	(1) Robert Colley, 5 Eliz.	Inheritance
" " . . .	" " . . . — "	(2) Edward Moore, 20 Eliz.	
" " . . .	Clonefad . . . 90 "	Anthony March, 6 Eliz.	Purchase
" " . . .	Crutt (moiety of) 93 "	(1) John Till, 5 Eliz.	
" " . . .	" " . . . — "	(2) Brian Fitzwilliam, 31 Eliz.	"
" " . . .	" " . . . — "	(1) John Davy, 5 Eliz.	
" " . . .	" " . . . — "	(2) Rosse Macgeoghegan, 18 Eliz.	"
" " . . .	" " . . . — "	Walter Bermingham, 5 Eliz.	
Leicester, Robert . . .	Rathrumon . . . 155 "	Peter Leicester, 5 Eliz.	Inheritance
" " . . .	Clonearl . . . 180 "	David Sumpter, (vacated)	
" " . . .	Kylduff . . . 90 "	(1) William Furies, 6 Eliz.	Grant
" " . . .	Killyshell . . . 100 "	(2) Edward Furies	
Wakeley, Thomas . . .	Ballyburly . . . — "	John Wakeley, 5 Eliz.	Inheritance
Brabazon, Malby, and	Marystown . . . 255 "	Thomas Morris, 5 Eliz.	
White, John . . .	" " . . . — "	" " . . . — "	Purchase
Moore, Viscount . . .	" " . . . — "	" " . . . — "	
Herbert, Sir Edward . . .	Abbey of Galen . . . — "	Viscount Moore, 10 Jac.	Grant
O'Dempsey, Sir Terence	Abbey of Daran . . . — "	Nicholas Herbert, 17 Eliz.	
Westmeath, Earl . . .	Cloneawnaghe 3,302	Owen O'Dempsey, 6 Eliz.	Inheritance
" " . . .	Ballycorbet . . . 200 "	Christopher Nugent (Lord Delvin), 5 Eliz.	
Offaly, Lady . . .	Killegh . . . — "	(1) Edward D'Arcy, 11 Eliz.	Grant, 18 Jac.
" " . . .	" " . . . — "	(2) Earl of Kildare, 20 Eliz.	
O'Connor, Brian . . .	Raynduf . . . 1,546 "	Lysagh M'Murrough, 5 Eliz.	Purchase
" " . . .	Derrymollen . . . 454 "	(1) Thady M'Cahir, 6 Eliz.	
" " . . .	" " . . . — "	(2) Sir Francis Annesley, 18 Jac.	Inheritance
" " . . .	" " . . . — "	Thomas Tyrrell, 6 Eliz.	
Tyrrell, Maurice . . .	Brackland . . . 260 "	David Flood, 5 Eliz.	"
Flood, Oliver . . .	Kilcloufert . . . 180 "	Humphrey Reynolds, 5 Eliz.	
Reynolds, John . . .	Barneboy (moiety of) . . . 46 "	" " . . . — "	"
" " . . .	" " . . . — "	" " . . . — "	
Sankey, William . . .	Ballylaken . . . 260 "	John Sankey, 5 Eliz.	Marriage
Rush, Sir Francis . . .	Clonmore . . . 192 "	(1) Henry Duke, 5 Eliz.	
" " . . .	" " . . . — "	(2) William Brown, 38 Eliz.	"
" " . . .	" " . . . — "	" " . . . — "	

Proprietors in 1622	Estates in King's County	Original Grantees	How acquired
Soare, William . . .	Barneboy (molety of) . . . 46 acres	(1) John Baynam, 5 Eliz. (2) Edmund Soare, 18 Eliz.	Inheritance
Philips, Henry . . .	Clanarough . . . 150 "	Geoffrey Philips, 5 Eliz.	"
Philips, Colley . . .	Killenollick . . . — "	Francis Edgeworth, 15 Jac.	Conveyance
King, Bostock . . .	Ballynakillin . . . 150 "	(1) John Apprice, 5 Eliz. (2) Earl of Kildare, 9 Jac.	Purchase
Fitzgerald, Redmond Oge	Clanbolg . . . — "	Raymond Oge Fitzgerald, 5 Eliz.	Grant
Bermingham, Gerald .	Ballycommon . . . 145 "	Redmond Bermingham, 5 Eliz.	Inheritance
Foy, Milerus'	Ballyrayne . . . 265 "	(1) Thady M'Cullough, 5 Eliz. (2) William Burke, 9 Jac.	Query
O'Connor, Brian . . .	Killantocke . . . 92 "	Charles O'Connor, 6 & 18 Eliz.	Inheritance
Frayne, Henry	Bannow . . . — "	Sir H. Colley, 19 Eliz.	Purchase
Fitzgerald, Maurice .	Cullaghton . . . 56 "	Sir Maurice Fitzgerald, 5 Eliz.	Inheritance
Alee, John	Monastery of Killegh . . . — "	John Alee, 11 & 18 Eliz.	"
Bisse, John	Ballyowen . . . 180 "	(1) Francis Appleyard, 6 Eliz. (2) Francis Layny, 20 Eliz. conveyed to Christopher Bisse	"

The following genealogical tables may perhaps be of service to the reader:—



Dean Swift and the Memoirs of Captain Carleton

IN the year 1728 (O.S.),¹ there was published in London an expensive book, well printed and in good binding, of which the title-page ran as follows:—

The Memoirs of an English Officer who serv'd in the Dutch War in 1672 to the Peace of Utrecht in 1713. Containing several remarkable Transactions both by Sea and Land, and in Divers Countries, but chiefly those wherein the Author was personally concern'd. Together with A Description of many Cities, Towns and Countries in which he resided; their Manners and Customs, as well Religious as Civil, interspers'd with many curious Observations on their Monasteries and Nunneries, more particularly of the famous one at Montserrat. On the Bull Feasts and other public Diversions; as also on the genius of the Spanish people, amongst whom he continued several years a Prisoner of War. No part of which has before been made public. By Capt. George Carleton. London. Printed for E. Symon, over against the Royal Exchange, Cornhill, 1728.²

Later on in the same year the same work was issued with what was evidently a corrected title-page, of which the following were the principal alterations:—For 'The Memoirs of an English Officer' read 'The Military Memoirs of Capt. George Carleton'; after 'Sea and Land' add 'during the reigns of King Charles and King James II'; for 'chiefly those wherein the Author was personally concerned' read 'hitherto unobserv'd by all the Writers of those Times'; after 'Together with' add 'an exact series of the War in Spain'; omit 'No part of which has before been made public'; and omit 'By Capt. George Carleton.'³ That this last title-page, and not the first mentioned, was the corrected one, is proved by the fact that in each case the 'short heading' of the text is 'Memoirs of an English Officer, &c.,' which words must therefore have formed the commencement of the original title-page. Moreover, in the copy

¹ In this article all the dates are Old Style up to 13 Sept. 1752 inclusive, after which day New Style commenced in Great Britain.

² Brit. Mus. Lib.

³ Brit. Mus. Lib.

with this designation, after the preliminary address 'To the Reader,' there is the following postscript:—

Some few Paragraphs in this work being through mistake inserted in wrong places, the Author desires his Readers to excuse it, especially as they were not discovered till it was too late to alter their position without considerable charge:

but in the other this addition is omitted.⁴ There is nothing to show that the second (or corrected) print is a second 'edition' of the work in the ordinary acceptance of the term,⁵ and the probable reason for the alteration of the title is a matter worth consideration. On comparing the two, it will be seen that the essential difference lies in the fact that, whereas originally the memoirs were said to be *by* Captain Carleton, in the corrected issue they are only stated to be *of* him; whence it is to be inferred that though, at first (perhaps through the mistake of the publisher) he was indicated as the author, in reality he was not so. For though the work is in the first person, and purports to be the *bonâ-fide* autobiography of a military veteran, seventy-six years of age and in reduced condition, yet (as will be shown further on) all these features are paralleled in another book of exactly the same nature which appeared soon afterwards, and was undoubtedly written by a person who was not the professing author.⁶ The name of this writer was Jonathan Swift, and it is my object to show that he was also the composer of the similar 'Carleton Memoirs.'⁷

From 1714 till 1724 Swift had lived at Dublin, engaged in the duties of his deanery. But during the year last mentioned he had taken an active share in Irish political questions; whilst in 1726 he had paid a visit to England, and had renewed acquaintance with many of his former tory friends. In April 1727 we find him again in England;⁸ and as before, his residence was chiefly with Pope at Twickenham; but when in town he appears to have lived with Lord Bathurst.⁹ Evidently his object was, chiefly by means of his

⁴ On comparing the two copies no difference in the arrangement of the paragraphs can be found, but in both (as well as in all succeeding reprints) there are evidently one or two unimportant passages that are not in their right places.

⁵ This is very improbable, for the work, besides being an expensive one (10s. 6d., equal to 31s. 6d. of these days), was evidently but little sold or heard of.

⁶ 'Memoirs of Captain Creighton,' Swift's *Works* (Scott), vol. xii. [As a rule when the page of a volume of Swift's works is mentioned, the reference is to Bickers's reprint of 1833.]

⁷ In his *Bibliographer's Manual* (1834), Mr. William Lowndes, after classing the *Carleton Memoirs* under the head of *Defoe, Daniel*, adds:—'This valuable and interesting work, a great favourite with Dr. Johnson, has been likewise attributed to Dean Swift.' All my researches, however, to ascertain whence Mr. Lowndes derived this last assertion have been ineffectual.

⁸ With six months' leave of absence from 7 April, 'for the recovery of his health.' [Pub. Rec. Ireld., Civil Affairs, xviii. 38.]

⁹ Swift's *Works*, xvii. [Letter, 1 July, 1727].

recently published 'Gulliver's Travels,' to push his interest with the Prince and Princess of Wales; for through letters written to him during the past autumn and winter by Lady Bolingbroke, Mrs. Howard, and others, he had learnt that everybody was reading his new work.¹⁰ For several years past, the prince, being estranged from his father, had kept a sort of rival court at Leicester House; and at his levées all discontented statesmen and politicians assiduously attended. Among these were to be reckoned the opposition leaders, together with such converted tories as the earl of Peterborough, the intimate friend of Swift, who, though willing to receive bounties from Walpole, had not yet been satisfied. Here Pope, Gay, Arbuthnot, and Swift paid their homage, and, except the first, who was never a party politician, awaited the turn of fortune's wheel. It was generally supposed that in Mrs. Howard lay the most feasible means of competition with Walpole, who was strongly supported by the princess; and that when the prince should succeed to the throne the word of his paramour would be all-powerful; hence it was chiefly to her that Swift and the keener-witted suppliants for promotion addressed their applications. But never was committed a greater mistake; since not for a moment did Princess Caroline, a woman of much tact and good sense, lose that rule of the prince which she always had possessed; and to her judgment in matters of moment he still continued to defer. In fact Mrs. Howard herself (being one of the princess's ladies in waiting) always faithfully carried out the wishes of her mistress, and on no occasion took up the position of a rival. It was not long before the opportunity for which the adherents of the prince were in hope suddenly appeared, for during June 1727 news was received of the death of George I in Hanover. Here then, at last, a vista of preferment was opened to the eyes of the ambitious Dean of St. Patrick's, for Mrs. Howard was now mistress of a king, and if anything were certain, it would be the dismissal of Walpole; but the chances were also strong that the leaders of the opposition, together with some of the old tories, would obtain a lease of power, and when it became known that the prince's treasurer, Sir Spencer Compton,¹¹ the speaker of the house of commons, and an opposition whig of almost neutral views, had received directions to draw up the declaration of George II to the privy council, he was universally

¹⁰ Swift's *Works* xvii. [Letters, 7, 8, 16, 17, 29 Nov.; 5 Dec.; 1, 17, 18 Feb.; 8 March 1726-7.]

¹¹ *Sir Spencer Compton, K.B., afterwards earl of Wilmington.*—Third son of James, 3rd earl of Northampton; became M.P. 1698; speaker of the commons from 1714 to 1728; paymaster-general, 1721-2; K.B., 1725; created lord Wilmington, 11 Jan. 1727-8; lord privy seal and earl, 1730; same year became lord president; first lord of the treasury and prime minister, February 1741-2; died, 1743. [Hawkesworth (Nichols), xiv. (4to) 719. *Gent. Mag.* March 1732; February 1741-2; July 1743. *Burke's Peerage.*]

regarded as the coming prime minister.¹² Writing to Sheridan on the 24th, Swift says:—

I deferred kissing the King and Queen's hands till the third day, when my friends at court chid me for deferring it so long. . . . The talk is now for a moderating scheme wherein nobody shall be used the worse or better for being called Whig or Tory, and the King hath received both with great equality, showing civilities to several who are openly known to be the latter. . . . It is agreed that the ministry will be changed, but the others will have a soft fall.¹³

On the same day Bolingbroke, writing from Pope's house at Twickenham, and stating that he is coming to London, says to Swift, 'the opportunity for quitting Ireland for England is fairly before you.'¹⁴ Nevertheless the enemies of Walpole were doomed to disappointment. Unambitious, quiet, and endowed with a large share of common sense, Compton knew that at that time he had not the capacity to fill the office of prime minister; nor, so far as can be seen, did he in the slightest degree desire it. At the very outset he appears to have asked the aid of Walpole in composing the declaration; and in about ten or twelve days the influence of Queen Caroline, assisted also by the king's own perceptions, had prevailed, not only to retain the services of the great statesman, but even (to use his own expression) to change the original firm of 'Townshend and Walpole' into one of 'Walpole and Townshend;' whilst Compton was created Lord Wilmington.¹⁵

On examining the contents of the 'Carleton Memoirs' it will be found that the text divides itself naturally into three distinct parts. The first comprises the military adventures of Captain Carleton between the years 1672 and 1705, in the Netherlands, England, and Scotland; the second gives his version of certain portions of the war in Spain between 1705 and 1708; and the third (the longest of the three) describes the travels and experiences of the nominal author whilst a prisoner of war in that country from 1708 to 1713. Of these portions the second is obviously the drama, essence, or *raison d'être* of the book; the first and third forming respectively the prologue and epilogue. These latter are full of anecdotes, of a very entertaining nature, relating to Carleton himself: but the central part is chiefly an account of the motives, thoughts, and actions of Peterborough, when in command during the Spanish war. The prologue is a series of marvellous exploits obviously intended by the actual writer as a hit at the professional military

¹² Swift's *Works*, xvii. [Letters, 7, 8 April; 13, 18 May, 1727]. Coxe [*Walpole*], ii. 234-298. Mahon [*Hist. Eng.*], ii. 164-179; 343-6.

¹³ *Works*, xvii. [Letters].

¹⁴ *Ib.*

¹⁵ Coxe [*Walpole*], ii. 295, 301, 304, 390. Mahon, ii. 345-6. For nearly fifteen years longer Walpole retained his post as prime minister, resigning in February 1741-2, when he was created earl of Orford. [*Gent. Mag.* February 1741-2.]

officers of the day, among whom (it must be remembered) Peterborough was not comprised; whilst the epilogue (in which evidently the idiosyncrasy of the actual writer has full scope) is virtually a prolonged satire on the Roman catholic religion. From the wording of the title it seems evident that on the lively descriptions of Spanish customs in this third part of the book the editor or publisher mainly relied for its general attractiveness; for in 1728 Great Britain was in a state of war with Spain,¹⁶ and everything connected with that country was of public interest; but at that time Peterborough, the hero of the work, though still active in mind and body, had sunk into oblivion; and apparently it was in order to rescue him therefrom by an ingenious side-wind that these 'Memoirs' now made their appearance. Thus the 'Dedication' of the work is addressed to Wilmington, through whom the opposition had hoped on the accession of George II (shortly before the 'Memoirs' were published) to gain power. For the present this peer was eclipsed; but it was impossible to foretell how soon he might not come again into prominence; and at all events he was an influential personal favourite of the new monarch. As a matter of fact, in 1730 (about two years afterwards) he entered the cabinet as lord president, an office he held for more than eleven years, and then only quitted to succeed Walpole as premier. It is not known that Wilmington was a patron either of soldiers or of men of letters; and doubtless the motive for dedicating to him such a book as the 'Carleton Memoirs' was purely political. Presumably his acceptance of this homage was obtained beforehand; and thus it may be treated as a sign that Peterborough, the man obviously most interested in its publication, was anxious to continue in the remembrance of one who still was reckoned the rising minister of the day. Now in June 1728, apparently for some special literary purpose, Swift had retired from Dublin to live with his friends the Achesons at Market Hill in county Armagh, and had remained there till February 1728-9.¹⁷ During this interval it is not improbable that he devoted most of his time to the compilation of the 'Carleton Memoirs,' or to their final preparation for the press; since, in 1725, for a similar purpose, the production of 'Gulliver's Travels,'¹⁸ he had secluded himself at a country-house called Quilca; and afterwards, in 1731, when completing his elaborate work on 'Polite Conversation' ¹⁹ he again withdrew into the country.²⁰

In 1741, when Peterborough was dead,²¹ but the country was again at war with Spain, there was a reprint of the 'Memoirs' by

¹⁶ War with Spain broke out in February 1727-8, and peace was not finally secured till the signing of the Treaty of Seville in November 1729.

¹⁷ Swift's *Works*, xvii. [Letters, 2 Aug. 1728; 13 Feb., 6 March, 1728-9].

¹⁸ *Ib.* [Letters, 22 April, 29 Sept. 1725].

¹⁹ *Ib.* ix.

²⁰ *Ib.* xvii. [Letter, 28 Aug. 1731].

²¹ Peterborough died in 1735 [*ct.* 77].

a different publisher, and with a new title, of which the essential portions were

A True and Genuine History of the Two Last Wars against France and Spain . . . interspers'd with many entertaining Accidents and instructive Stories of the late Earl of Peterborough . . . by Capt. George Carleton, present in the Engagements both in the Fleet and the Army. London. Printed for Francis Gosling, at the Crown and Mitre against Fetter Lane in Fleet Street, 1741.²²

Again, in 1743 (the war with Spain being still in progress), there was a fourth issue with a fourth title-page, thus worded :—

The Memoirs of Cap. George Carleton, An English Officer, who served in the two last wars against France and Spain. . . . Containing an Account of the Conduct of the Earl of Peterborough . . . London. Printed for Thos. Astley at the Rose in St. Paul's Churchyard, 1743. Price Four Shillings.²³

However, it is probable that both of these editions were mere piratical speculations; for though Swift was alive, yet in the latter year he was in a state of insanity, and in the former but little removed from it.²⁴

In regard to the manner in which these curious 'Memoirs' were received in the eighteenth century, the first public notice I have been able to find is recorded in

A General Catalogue of Books in all Languages, Arts and Sciences printed in Great Britain, and published in London from the year 1700 to 1786. Classified under the several branches of literature. . . . London. Printed for W. Bent. Paternoster Row, 1786.

In this bibliography, under the head of *Novels and Romances*, we have:—'Carlton (Capt. George), Memoirs of, 8vo. 4s. 0d.'²⁵ This must have been the edition of 1743; and hence there is every reason to believe that it was actually as a 'romance' that, in that year, the book was sold by Mr. Astley. But two years previously to the appearance of Bent's catalogue, similar testimony had been afforded by a remarkable conversation in which Dr. Johnson took part, chronicled in 1791 by James Boswell.

On Sunday, June 27th [1784], I found him [Johnson] rather better. . . . We this day dined at Sir Joshua Reynolds's with General Paoli, Lord Eliot (formerly Mr. Eliot of Port Eliot), Dr. Beattie and some

²² Brit. Mus. Lib.

²³ Brit. Mus. Lib. The copy is remarkable as having belonged to Edward Gibbon, the historian. Thomas Astley was the publisher of that tory periodical *The London Magazine*, and in the number for November 1742 advertised the *Carleton Memoirs*. At that time Wilmington was prime minister. In the number for December 1740, is an allusion to Sunday, 30 Nov., as being 'the anniversary of the birth of that Great and Glorious Patriot, the Rev. Dr. Swift, D.S.P.D.'

²⁴ Swift died in October 1745, but his reason departed in May 1742.

²⁵ Brit. Mus. Lib.

other company. . . . He put Lord Eliot in mind of Dr. Walter Harte. 'I know,' said he, 'Harte was your Lordship's tutor, and he was also tutor to the Peterborough family. Pray my Lord do you recollect any particulars that he told you of Lord Peterborough? *He is a favourite of mine*, and is not enough known; his character has been only ventilated in party pamphlets.' Lord Eliot said if Dr. Johnson would be so good as to ask him any questions he would tell him what he could recollect. Accordingly some things were mentioned. 'But,' said his Lordship, 'the best account of Lord Peterborough that I have happened to meet with is in "Captain Carleton's Memoirs." Carleton was descended of an ancestor who had distinguished himself at the siege of Derry.²⁶ He was an officer; and what was rare at that time had some knowledge of engineering.' *Johnson said he had never heard of the book.* Lord Eliot had it at Port Eliot, but, after a good deal of enquiry procured a copy in London, and sent it to Johnson, who told Sir Joshua Reynolds that he was going to bed when it came, but was so much pleased with it that he sat up till he had read it through, and found in it such an air of truth that he could not doubt of its authenticity; adding with a smile (in allusion to Lord Eliot's having recently been raised to the peerage), 'I did not think a young lord *could have mentioned to me a book in the English history that was not known to me*,'²⁷

This occurred when Johnson was seventy-five years of age and only six months before his death.²⁸ Thus it will be seen that though he was nineteen years old in 1728, and thirty-four in 1743, yet up to 1784 he had never even heard of the work. This fact, coupled with his subsequent allusion implying that in some quarters there was a 'doubt of its authenticity,' tends rather strongly, I think, to corroborate the assertion made in Bent's catalogue, that at this time the work was generally treated as a 'romance.' But even more sure evidence is afforded by the systematic manner in which, by all historians and biographers of the eighteenth century, the 'Memoirs' are ignored.²⁹ It is true that in 1798, in his 'Reign of Queen Anne,' Dr. Thomas Somerville referred to

²⁶ Probably Lord Eliot was alluding to Lancelot Carleton of the Fermanagh branch of the family, who is stated to have been 'slain in the service of King Charles I'—[Burke's *Peerage*]. This must have been during the rebellion in Ireland which broke out in 1641, when it appears that Derry was held by the Parliamentarians. According to the memoirs of Captain Creighton, which on this point may be trustworthy, one Alexander Creighton, with some other persons, performed a gallant action in rescuing from gaol at Derry his relative, Captain Gerard Irvine, who had been captured by the rebels. [Works, xii. 14.] Now Lancelot Carleton had married Marion, the sister of this Gerard Irvine, and one of his nephews, George Carleton (of Market Hill), afterwards married a Creighton. Thus it is possible that in this Derry rescue Lancelot was one of those who aided Creighton. The following sentence, 'He was an officer,' &c., refers probably to the ancestor, and not to Captain George.

²⁷ Johnson [Boswell] (1835), viii. 334. ²⁸ Johnson died in December 1784.

²⁹ See, for instance, the histories, biographies, or other works of Oldmixon [1735], Chamberlen [1738], Birch (Houbraken) [1743], Harrison [1744], Leake [1750], Tindal [1751], Smollett [1757], Horace Walpole [1758], Campbell [1742 and 1779], Alex. Cunningham [1787], and Somerville [1798], besides *Universal History* [1782-3].

the version of Peterborough's conduct at the siege of Barcelona in 1705, as given by Carleton; but only to reject it as being against the overwhelming testimony of the contemporary records and annals of the time.³⁰ In 1789 also, Mr. James Pettit Andrews, in his 'Anecdotes Ancient and Modern,' not unreasonably culled one from the prologue of the 'Memoirs;' yet the only wonder is that, with such a fountain of good stories at his command, he should have been so moderate.

That in any matter of eighteenth-century literature the opinion of Johnson should have its full weight I readily grant, and all the more willingly from the fact that in regard to another important work, usually attributed to Swift, my views are in concurrence with those of the great lexicographer;³¹ but that his *dictum* should be treated as absolving an inquirer from all further research is of course preposterous. Not so, however, in this particular case, thought that famous writer of romance by whom we are burdened with the existing standard edition of the works of Swift. From 1808 to 1814 Mr. Walter Scott was employed, by Messrs Constable, the Edinburgh publishers, in compiling this most partial, verbose, and inaccurate account of the dean's life and writings; and in connexion therewith appears to have become deeply interested in the military career of his great patron, Peterborough, with whose tory politics Scott's own were manifestly sympathetic. Through Boswell's 'Life of Johnson,' published in 1791, he evidently first heard of the existence of the 'Memoirs;' and in 1808 (whilst employed on the edition of Swift) he induced the Constables to undertake a reprint of them, prefaced by a biography of Peterborough.³² Accordingly in that year, under his editorship, and with a glowing account of that peer amplified (without acknowledgment) from a panegyric by Dr. Birch in 'Houbraken's Heads,'³³ the 'Memoirs' were again given to the world. But on this occasion (probably for the first time in their existence), they were issued as a piece of *genuine history*, formed by the plain, honest narrative of a deserving veteran of irreproachable character. The title-page was as follows:—

Memoirs of Captain George Carleton, an English officer, including Anecdotes of the War in Spain under the Earl of Peterborough, and Many Interesting Particulars relating to the Manners of the Spaniards in the Beginning of the Last Century. Written by Himself.³⁴

³⁰ Somerville, 102.

³¹ *The Tale of a Tub*, as apart from its satirical appendages.

³² Lockhart's *Scott* (1848), i. 217, 218, 267, 302, 305. It would appear that whilst actually engaged on his six years' editorship of Swift's works, Scott must have composed *The Lady of the Lake*, *The Vision of Don Roderick*, *Rokeby*, and *Waverley*, an employment which doubtless he found more congenial.

³³ Houbraken [Birch], 151 *et seq.*

³⁴ There appears to have been an edition in 1809 as well as in 1808, but the copy in the Brit. Mus. Lib. is of the latter date. The publishers are Archibald Constable

From the preface it is evident that, solely on the strength of Johnson's privately expressed opinion, and without the slightest confirmatory research, the work was thus published as history. For either as to the biography of Captain Carleton, or as to the question whether such a man ever really existed, Scott not only admits himself unable to give any information, but he actually states that the work was first printed in 1743; and even the title-page of that edition he misquotes, for nowhere is it stated thereon to have been 'written by himself.' But in order to create an historical reputation for an impostor whom his distorted imagination regarded as a hero, he wilfully ignored the directly opposing evidence of the current 'Annals of Queen Anne,' of the 'London Gazettes,' of the contemporary narratives of the period, and of the whole of the eighteenth-century historians, English and foreign. In a passage in an autobiography of his own early years Scott had said, 'I fought my way through Vertot's "Knights of Malta"—a book which, as it hovered between history and romance, was exceedingly dear to me.'³⁵ Clearly it was in much the same spirit that he afterwards dealt with the 'Carleton Memoirs;' and thus unfortunately, in his forgetfulness of the vital difference between the heated fancies of a lover of romance and the cold functions of a critical editor, managed to falsify the whole stream of nineteenth-century history bearing on the reign of Queen Anne. For up to 1888, willingly following his guidance, and without evincing any feeling that literary inquiries on the subject of the authenticity of the work were necessary or even desirable, all subsequent English writers on the wars of that time, and all biographers of Peterborough, have founded their works and *réchauffés* on these spurious 'Memoirs.'³⁶

& Co., of Edinburgh, and J. Murray, of London. It is a remarkable circumstance that the first persons to issue the *Carleton Memoirs* to the world as authentic history were the admirers of Swift.

³⁵ Lockhart's *Scott*, i. 43.

³⁶ *Writers misled by the Carleton Memoirs.*—Of these writers and their works the principal are Coxe's *Marlborough and Bourbon Kings* (1813 and 1818); Watt's *Bibliography* (1824); Stanhope's *War in Spain and Reign of Queen Anne* (1832 and 1870); Gleig's *Eminent Commanders* (1832); Macaulay's *Essay on Stanhope's 'War in Spain'* (1833); Dugham's *Spain* (1833); Dunlop's *Spain* (1834); Lowndes's *Bibliography* (1834); Cannon's *Official Records of the 1st, 5th, 6th, 13th, 15th, and 31st Regiments* (1837-1850); Wallace's *History of England* (1839); Warburton's *Peterborough* (1853); Cust's *Annals of the Wars* (1858); Küntzel's *Life of Prince George* (1859); Lee's *Defo* (1869); Hamilton's *Grenadier Guards* (1874); Noorden's *Der spanische Erbfolgekrieg* (1874); Wyon's *Reign of Queen Anne* (1876); Dyer's *Modern Europe* (1877); Morris's *Age of Anne* (1877); Burton's *Reign of Queen Anne* (1880); Townshend Wilson's *Berwick* (1883); Napier's *Johnson* (1885); Russell's *Peterborough* (1887); Henty's *Bravest of the Brave* (1887); and Ormsby's article on *Carleton* (1887). The notice of the last-mentioned writer is in vol. ix. of the *Dictionary of National Biography*, now being edited by Mr. Leslie Stephen; for under the head of 'Carleton, George,' and on the strength of the printed opinions of Lord Stanhope, Dr. Burton, and Mr. Lee, the nominal author of the *Memoirs* is actually enrolled among the notabilities of the country. Yet Mr. Ormsby (who apparently has otherwise made no researches) cannot be

In 1830, however, a natural reaction against this unreasonable line of conduct found vent amongst reflecting critics and publishers ; for in his 'Life and Times of Daniel Defoe,' which appeared that year, Mr. Walter Wilson, judging from superficial internal evidence (and apparently unaware of the notice in Bent's catalogue), enlisted the 'Memoirs' as a romance by that author.³⁷ It was merely their general similarity to the 'Memoirs of a Cavalier' and other *vraisemblable* fictions of Defoe that induced Wilson to take this decided step, for which otherwise he admitted there was no authority ; yet in unconsciously returning to the opinion of the Carleton narrative clearly expressed by the unanimous action of the eighteenth-century historians, he certainly took a step in the right direction ; and in 1843, in his 'Bibliographer's Manual,' Mr. William Lowndes adopted the same views, inserting the 'Memoirs' under the head of 'Defoe, Daniel.' But in 1837 the great critic John Lockhart, the very son-in-law and literary executor of Sir Walter Scott, wrote (in his biography of that author) the following remarkable passage :—

It seems to be now pretty generally believed that 'Carleton's Memoirs' were among the numberless fabrications of Defoe ; but in this case (if the fact indeed be so), as in that of his 'Cavalier,' he no doubt had before him the rude journal of some officer who had fought and bled in the campaigns described with such an inimitable air of truth.³⁸

In 1840 Mr. William Hazlitt and Mr. Thomas Tegg boldly edited the 'Memoirs' among the collected works of this author ; in 1854 the well-known publisher, Mr. Henry Bohn, followed suit ; and lastly, in 1883, in his 'Manual of English Literature,' Dr. George Craik unhesitatingly mentions the work as a genuine composition of Defoe.³⁹ Up to 1888, as a result of these curiously opposite views simultaneously held by historians of Queen Anne and writers on Defoe, on the one hand no nineteenth-century narrative of the War of the Succession in Spain could be procured which was not an amplification of the 'Carleton Memoirs' ; and, on the other, no nineteenth-century edition of Defoe's works, which did not treat this narrative as pure fiction, author and all. In this illogical issue each party appears to have felt equally satisfied ; for, by researches among state papers, public records, or private manuscripts, neither appears to have made the smallest attempt to unravel the mystery. Hence, though in two or three documents of the time a name similar to that of the professed author had

certain that the 'Captain Carlone' whose name was found by Lord Mahon was the same Carleton by whom the *Memoirs* purported to have been written (as to which question see note 40), for in those times the name was very common in the English army ; nevertheless this is practically all that Mr. Ormsby had to go upon.

³⁷ Wilson (1830) iii. 589.

³⁸ Lockhart's *Scott* (1839), p. 84.

³⁹ Craik (9th edit.) p. 366. See note 142 on the question of Defoe's authorship.

casually been met with; yet of Carleton's personal identity nothing worth mentioning was known,⁴⁰ and indeed the very fact of the existence of the Defoe school manifested a widespread belief that his earthly sojourn was never outside the brain of the creator of 'Robinson Crusoe.' Owing to these circumstances I was led to make some independent investigations on the subject, a small part of which, in my history of the 'War of Succession in Spain,' were published in 1888. Since that event I have completed my present series of inquiries; and the result, based on researches made in London and Dublin, as well as on information kindly given by the War Office authorities and by the hon. Mrs. Langford-Carleton, is as given in the following pages.

In February 1697-8, Brigadier Tiffin's regiment of foot, known as the Inniskillingers, numbering nine companies, arrived at Dublin from Chester; and among their officers was a Captain George Carleton, clearly the identical man whose memoirs the book we are now examining professes to relate.⁴¹ In July 1699 he received a sum of twenty-five pounds from the authorities in Dublin as part of the arrears of his pay;⁴² but in May 1700, for using provoking language to ensign Alexander Cory of the same regiment, and obliging him to fight a duel, a court-martial sentenced him to be cashiered. Through the clemency of the earl of Galway (then

⁴⁰ *Lord Stanhope and Captain Carleton.*—In an appendix to his sketch of the *War of the Succession*, published in 1833, the late Lord Stanhope (then Lord Mahon) states that among General Stanhope's papers, in a list of officers 'of the Train of Artillery, and other regiments taken at Denia, he found the name of 'Captain Carltone.' [*N. and Q.* vii. 1 Jan. 1859; Mahon (*War of Succession*) App. 135.] But this document is apparently an ill-spelt copy of part of an original one now in the Public Record Office in London [Treas. Pap. cxxvii. 5, 'A list of the English prisoners in Spain'] which very clearly gives the name as 'Captain Charleton' [several other names on Lord Stanhope's MS. being also mis-spelt], and there can be little doubt that the name in question is meant for the gallant chief engineer of Denia (taken prisoner at the same time) whose real name of 'Chardeloup' (constantly distorted) is actually given in one of the Official Ordnance Minutes [Pub. Rec. Gt. Brit., Ord. Min. 10 June, 1715] as 'Chardelton,' which is very close to Charleton; and elsewhere as 'Chardelon' and 'Chardelou' [Richards Papers, Stowe Coll. xxix. 10, 11 April 1708]. This officer, who had the Spanish rank of lieutenant-colonel, was on the establishment of the English train as a captain, and it is impossible that his name could have been omitted; whereas it is certain that Carleton (for he really was at Denia) *was on no establishment at all* ['As to Mr. Carleton he is not upon our Artillery list, and therefore I suppose that my Lord Galway will subsid him from Lisbon' (Richards to Percival Alicant, 10 April 1708 N.S., Stowe Coll. xxix. No. 140)], and, as a volunteer, would probably at the time have been ignored. It is fair to observe that in the Ordnance Minute this man's own name happens to be also mentioned, and is mis-spelt 'Charlton.' But by the phonetic writers of that day the two names of 'Chardelton' and 'Charlton' might easily have become confused, and probably in this way the original 'Chardeloup' (by successive stages of mis-spelling) may have gradually developed into Stanhope's 'Carlton.'

⁴¹ Ellis Papers, Add. 28882, f. 104. Pub. Rec. Ireld., Petitions [1696-1749] i. f. 53.

⁴² Pub. Rec. Ireld., Petitions v. f. 22.

commander in chief and one of the lords justices) he obtained a re-hearing of his case; and this took place in September, but with the same result.⁴³ However in consideration of his having a wife and three children to support, and nothing to live on except his pay, the court recommended that an application should be made to the king to place him afterwards on the Irish list of half-pay officers. On 14 Oct. Captain Carleton was duly 'broken;' yet on the 28th, the proposition of the court having been heartily seconded by Lord Galway, he was compassionately granted a half-pay pension of three shillings a day.⁴⁴ In 1704 there are traces of his soliciting further military employment, though unsuccessfully;⁴⁵ but in 1705, 'as a volunteer without a particular post,' he went off to the war in Spain and Portugal, doubtless hoping eventually to pick up some berth or appointment either with one of the English contingents in those countries, or in the forces under the titular king of Spain, Charles III.⁴⁶ In the same year during some portion of the operations before Barcelona, and apparently through the kindness of Captain Collier (the second in command), Carleton acted as a subordinate in the train of artillery.⁴⁷ Similarly in 1707—this time through the good offices of Lord Galway, his former benefactor, who was now commander-in-chief in Spain—he obtained some kind of employment under the engineers in connexion with the fortifications of Alicant,⁴⁸ during which time Galway appears to have paid

⁴³ According to the *Memoirs* Carleton was then forty-eight years of age.

⁴⁴ Pub. Rec. Irel., Martial Affairs, v. f. 84, 85, 120; vi. f. 45; ix. f. 137. King's Letters [1697–1748] vi. f. 24; vii. f. 13, 14. Ruvigny Papers, Add. 9718 f. 124. Ireland (Army Records) Papers, Add. 9765, f. 119. Of the fact that Captain Carleton was cashiered, Percival Carleton, who compiled the records of the family of Carletons appears to have been ignorant. It was in 1885, from the Ruvigny papers in the Brit. Mus., that I first discovered the fact; and the following letter to Mr. Blathwayte, the secretary at war in London, written throughout in Lord Galway's handwriting, was the document conveying this information (which is corroborated by the proceedings of the court-martial in the Dublin Record Office):—

Au chateau de Dublin le 17 Octobre 1700.

Monsieur,—Je viens de recevoir votre lettre du 18 N.S. à quoi je n'ai rien à répondre, mais seulement à vous en remercier. Nous vous écrivons aujourd'hui que suivant les instructions du Roi après la représentation de la Cour des Officiers Generaux, nous avons esté obligés de casser le Capt^e Carleton du Regiment de Tefin, son action a été precedée et accompagnée de quantité de circonstances aggravantes dont le détail serait trop long, et que je serai bien aise de passer sous silence en faveur de Carleton. Nous demandons la compagnie pour Capt^e Jones qui a été reformé à la dernierere forme d'une compagnie par bataillon, et nous vous demandons instamment que Capt^e Carleton soit mit en sa place à la demipaye. Il a une femme et trois enfans qui n'auront rien au monde pour subsister sans cela, et je crois que malgré cet adoucissement le châtimen ne laissera pas d'être assez exemplaire dans les troupes du Roi. Je suis pour toujours, Monsieur, votre très humble et très obéissant serviteur.

GALLWAY.

⁴⁵ Pub. Rec. Irel., Corr. Brit. Dep. i. f. 16.

⁴⁶ Pub. Rec. Gt. Brit., Treas. Pap. clxiv. f. 15. According to the *Memoirs* he was then of the ripe age of fifty-three.

⁴⁷ *Ib.* Ord. Min. 19 Aug. 1718.

⁴⁸ *Ib.* Ord. M.n. 30 Sept. 1718.

for his subsistence out of his own allowances.⁴⁹ Next year, in the same capacity, Carleton was at the adjacent smaller fortress of Denia, and served under Lieutenant-Colonel Charles Perceval (the governor of the castle) in the second defence of the place against General d'Asfeld and the Bourbons. At its capture on 18 Nov. ⁵⁰ Carleton, with the regular garrison, became a prisoner of war, and remained in Spain until the peace in 1713;⁵¹ but during the whole of his service in that country it is certain that he received no appointment or post of any kind bringing him army pay.⁵² In 1711—having all this time acted on his own account, and unknown to the authorities at home, and when taken prisoner having been no longer able to communicate with his friends—his name was struck off the Irish half-pay list.⁵³ However, soon after his return to Ireland in 1713, he was duly reinstated;⁵⁴ and about September 1718 appears to have received from the commissioners of army debts a pecuniary acknowledgment of his services at Barcelona, Alicant, and Denia.⁵⁵ From 1713 till 28 Oct. 1728, his name is repeatedly recorded on the pay documents of the Irish record office;⁵⁶ but by 4 Dec. 1730 he had died intestate, for on that day administration of his effects was granted at Dublin to a widow named Mary Toms, of St. Margaret's parish, Westminster, his principal creditor.⁵⁷ Hence between the two dates last mentioned he passed away; possibly before the appearance of the 'Carleton Memoirs,' but certainly whilst in a state of debt. All the sure knowledge gained about his family is the fact that his wife's name was Elizabeth; for during his absence in Spain it was she who (by dint of constant petitions) received his half pay.⁵⁸ Probably she predeceased him, but what became of his three children is nowhere to be ascertained.

As regards the identity of Carleton from a genealogical point of

⁴⁹ Richards Papers, Stowe Col. xxix. [140] 10, 11 April 1708.

⁵⁰ Parnell's *War of Succession in Spain*, 259.

⁵¹ Pub. Rec. Gt. Brit., Ord. Min. 10 June, 1715; Treas. Pap. clxiv. f. 15; cxxxiii. April-May 1711 (Petition of Captain Carleton).

⁵² Pub. Rec. Ireld., Petitions xv. f. 33.

⁵³ Pub. Rec. Gt. Brit., Treas. Pap. clxiv. f. 15.

⁵⁴ *Ib.* cxxxiii. April-May, 1711 (Petition). ⁵⁵ *Ib.* Ord. Min. 19 Aug. 1718.

⁵⁶ Pub. Rec. Ireld., Petitions xxviii. f. 165; xxxiii. f. 109, 263; Receiver Genl. Accts. xxx. 30 May-9 Oct. 1717; ditto vol. for year ending 25 Dec. 1713; Military Establishments [1682-1728] f. 60, 70, 97, 184, 209; Military Papers [Ireland 1715] Add. 29880; Warrt. 2 July, 1715; ditto [Ireland 1717] Add. 18595 f. 59. In 1728, according to the *Memoirs*, Carleton was seventy-six years of age.

⁵⁷ Pub. Rec. Ireld., Wills 1730 (Capt. George Carleton). In mentioning the name of this creditor, Captain Percival Carleton, in his *Memorials of the Carleton Family*, has made a slight mistake, which has been copied in my history (p. 319).

⁵⁸ Pub. Rec. Ireld., Receiver Genl. Accts. (December 1709-August 1710) f. 174; xxxi. December 1710-December 1711; Petitions xv. f. 33, 68, 108. It seems, however, just possible that he was not actually married. There is not the slightest hint of it in the *Memirs*.

view, nothing positive can be discovered. According to the 'Memoirs' he was born in 1652, and belonged to that Oxfordshire branch of the Carletons of Cumberland which has now died out. For in the address 'To the Reader' prefacing the text of the work is the following passage:—'It may not be perhaps improper to mention that the author of these Memoirs was born at Ewelme in Oxfordshire, descended from an ancient and an honourable family. The Lord Dudley Carleton who died secretary of state to King Charles I was his great-uncle; and in the same reign his father was envoy at the Court of Madrid, whilst his uncle, Sir Dudley Carleton, was ambassador to the states of Holland; men in those days respected both for their abilities and loyalty.' With a view to test the accuracy of these statements, researches have been made in the early years of this century, by General Thomas Carleton⁵⁹ (brother of Guy, Lord Dorchester, of American renown), belonging to the Fermanagh branch of the main (or Cumberland) line; in 1858 (and about that time), by Mr. J. H. Markland;⁶⁰ in 1863 and thence to 1869 (when he died), by Captain Percival Carleton, of the Clare branch of the main line, who wrote and printed for private use 'The Memorials of the Carleton family';⁶¹ and from 1885 to 1888, by myself. But in any sort of genealogical document or record all have failed to discover the name of the undoubted Captain George of the 'Memoirs'; and hence, whilst it is certain that he must have been a very obscure personage, it is just possible that he may have been an illegitimate son, or may have assumed the name as an alias.⁶² In regard to his assigned birth at Ewelme, Mr. Markland stated that the parish registers of that place had been searched by his friend Dr. Bliss, but without finding the entry; and in respect of the alleged family descent there are two evident inaccuracies. In the first place there was no such person as Lord

⁵⁹ Mahon (*War of Succession*) App. 135. General Thomas's father, Christopher, must have been a contemporary of Captain George.

⁶⁰ *N. and Q.* vii. 1 Jan. 1859.

⁶¹ *Carletons of distinction*.—This family has produced many distinguished men. In the Cumberland or main line were George Carleton, bishop of Llandaff (1618) and Chichester (1619); and Guy Carleton, bishop of Bristol (1671) and Chichester (1678). In the Oxfordshire branch were Gerard Carleton, dean of Peterborough (1543); Dudley, Viscount Dorchester (*temp.* James I and Charles I); and Sir Dudley Carleton (nephew of the last, *temp.* Charles I). To the Fermanagh branch belonged Guy, Lord Dorchester (second creation) [born 1724, died 1808]; his brother, General Thomas (sometime lieutenant-governor of New Brunswick); and his gallant son, Lieutenant-Colonel George Carleton, killed in 1814 at the storming of Bergen-op-Zoom, with whom, as I am informed, the *Carleton Memoirs* were a favourite book. Lastly, from the Clare (or Tipperary) branch was descended Hugh, Lord Carleton, chief justice of the common pleas in Ireland (born 1739, died 1826). *Memorials of the Carletons*. Collins's *Peerage* (1812), viii. 111. Burke's *Peerages Existing and Extinct*.

⁶² In Military Papers (Ireland, 1717) Add. 18595, f. 61, we find an instance in point and curiously enough in connexion with this very name; for among a list of half-pay officers is 'Lieut. Guy Irwin *alias* Carleton.' In Military Papers (Ireland 1715) Add. 29880, this officer had been mentioned as Lieut. Guy Carleton.

Dudley Carleton. The 'statesman' in question was first known as Sir Dudley Carleton, but in 1626⁶³ was created Lord Carleton, a title which two years later was changed to that of Viscount Dorchester.⁶⁴ Secondly, neither during the reign of Charles I, nor apparently in any adjacent period, was there any 'Envoy' at Madrid of the name of Carleton.⁶⁵ However, it was ascertained by Captain Percival Carleton that in 1639 Mr. George Carleton of Ewelme, Turincombe and Cottismore, Oxon, the nephew of Viscount Dorchester and brother of the second Sir Dudley, married Mary Andrews, and 'had a son Thomas and other children all under age in 1654;' and he conjectures that among these 'other children' was George the professed writer of the 'Memoirs.'⁶⁶ This seems possible, and I think that the legal inference from the passage (which he quotes from 'Chancery Bills, 1654') would be that Thomas was not the only son.

Through the courtesy of Sir Bernard Burke and his chief assistant Mr. Glasscott, I have been able to obtain additional information regarding Captain George's reputed father, tending to give more credit to the statement in the 'Memoirs.' During my visit to Ulster's office in 1888 a loose parchment was found inscribed with the copy of a Latin pedigree and coat-of-arms, drawn up in October 1624 by Garter and Clarenceux kings-of-arms, giving the genealogy of this identical George Carleton of Ewelme, nephew of Viscount Dorchester (then Sir Dudley and ambassador to the States). Herein George is stated to be 'jam in Hispania comorans'; and this tallies in some degree with the allegation in the 'Memoirs,' the term 'envoy' being perhaps merely an exaggeration.⁶⁷ He is also shown as having at that time a wife and three children, but the shields denoting these facts are left without names. According to the 'Chancery Bills' all four appear to have been dead by 1654; but in that document possibly the issue of the first wife were not alluded to. Now in Ireland, where, after the year 1698, the life of Captain George (excepting for the interval in Spain) appears to have been chiefly spent, the Carletons were very numerous;⁶⁸ and from 1638 to

⁶³ Collins gives the year as 1628.

⁶⁴ *Memorials of the Carletons*. Collins's *Peerage* (1812), ix. 463. Burke's *Extinct Peerages*. N. and Q. vi. 13 Nov. 1858.

⁶⁵ N. and Q. vi. 13 Nov. 1858.

⁶⁶ *Memorials of the Carletons*.

⁶⁷ In the *Calendars of Treasury Papers* for 1651-2 (8 July, 1652, p. 322) and 1653-4 (8 Dec. 1653, p. 291) mention is made in the proceedings of the council of state of a 'Mr. Carleton' employed in Spain on public affairs. Possibly this was the same man.

⁶⁸ *The Irish Carletons*.—The following were some of the Carletons residing in Ireland during or shortly before the first portion of the eighteenth century: Christopher of Dublin, a commissioner of revenue with Mr. Bartholomew Vanhomrigh, father of Miss Esther Vanhomrigh [d. 1703-4]; Christopher of Derry, his son [d. 1705-6 or 1706]; George, a cousin of latter [at Trin. Coll. in 1705]; Christopher of Market Hill, Fermanagh, kinsman of the Christophers of Dublin and Derry [d. 1716-1717]; George of Market Hill, his son, who married Miss Creighton [d. about 1747];

about 1668, during the *bonâ fide* reigns of Charles I and Charles II, there was in Dublin a George Carleton (but of what ancestry is unknown) who held the offices of clerk of the crown and keeper of the hanaper.⁶⁹ Quite possibly this was the George of Ewelme who in 1624 had resided in Spain (probably as an *attaché* to the English embassy); for the pedigree of this gentleman, just described, was doubtless deposited in Ulster's office in Dublin by himself or by one of his family. George of the hanaper had a son and heir also named George, alive in 1672, who must have been a contemporary of Captain George—and possibly was the very man; but nothing further about him can be traced.⁷⁰ There was also about the same time a George Carleton of the Fermanagh line residing at Market Hill in that county, who died about 1747; and though this cannot have been Captain George, yet it is not at all unlikely that the commission obtained by the latter in an Enniskillen regiment may have been due to his kinsmanship with this branch of the Carletons, which had been long established in Fermanagh (principally at Rossfad near Enniskillen). Why the 'Memoirs' did not give the Christian name, residence, or other particulars capable of proof, concerning the real father and family of Captain George (as might have been done in two or three lines), is best known to the writer. Apparently he has purposely described with vagueness what he tells us of Carleton's descent, and has merely mentioned in it a couple of well-known statesmen in order to give an air of authenticity to the whole narrative. Still, on the whole available evidence, I should be inclined to agree with Captain Percival Carleton

Christopher of Newry, co. Down, son of Lancelot of Rossfad, Fermanagh, first cousin of George of M. H. and father of Guy first Lord Dorchester of second creation (present family) [d. 1738]; Captain Lancelot of Rossfad, Enniskillen, his brother, late of Wolseley's Horse, but in 1705 serving in Stewart's Foot [d. 1712]; Captain John, another brother, who died of wounds received at Almanza in 1707; Lieut. William, another brother, of Cope's Dragoons; John, living near Clonmel [1721-2]; Guy of Enniskillen, high sheriff of Fermanagh [about 1721-2]; John of Thomond, co. Leitrim [d. 1721 or 1722]; Edward of Tuam, son of John, and high sheriff of Leitrim [1728-9]; Lieut. Christopher, late of Wolseley's Horse, but in 1697 on half pay of Conyngham's Dragoons [in 1689 he served at the defence of Enniskillen]; Lieut. Carleton, of Mountjoy's Foot [1698]; Captain John, R.N., tried at Cork in 1703-4 for killing Lieut. Griffiths in a duel; Thomas of Castle Dawson, Londonderry [1719]; George, son and heir of George, clerk of hanaper in 1668, living in 1672-3; C. W. Carleton, married a Miss Bardin of Dublin [1723]; Robert of Clonmel [1693]; John of Darling Hill, Tipperary [d. 1729-1730]; Caleb, married a Carlow lady [1729]; Rev. Robert, dean of Cork, 1721-2, second son of Christopher of Dublin [d. 1732-1735]; George of Mullynadavagh, high sheriff of Monaghan [1735-6]; Lieut. Guy, on half pay, of Creighton's Foot [1702-3 and 1715]; Rev. Lancelot, brother of George of M. H., chaplain of dragoons in Spain [d. 1730]. Pub. Rec. Ireld., Wills and other documents. Records in Ulster's office in Dublin. Ireland Establishments (1715) MSS. Add. 29880 [Military Pensions]. Graham's *Londonderry and Enniskillen*, 269. Luttrell's *Diary*, ii. 454; iv. 255. Collins's and Burke's *Peerages and Landed Gentry*.

⁶⁹ Ulster's office, *Wills, New Series*, vii. C. 131. *Hist. Comm.* 8th rept. (1881) p. 589; 9th rept. (1884) pt. 2, 159a, 306b.

⁷⁰ Ulster's office, *Wills, New Series*, vii. C. 131.

(and with the family of the present Lord Dorchester)⁷¹ that George, the subject of the 'Memoirs,' was really a scion of the ancient and honourable house of the Cumberland Carletons, as the author says he was;⁷² and this I think makes it all the more unlikely that he would have lent himself to write the book to which his name is attached.⁷³

Having now furnished the principal direct testimony that is procurable respecting the biography and genealogy of Carleton, it becomes necessary to test by authoritative records such of the leading assertions made in the text concerning his personality and actions as are amenable to this stubborn process. By so doing we shall inevitably gain a decided light on the probable veracity of the historical, central, or essential portion of the book, describing the actions of Peterborough in Spain. Commencing with the prologue,⁷⁴ we find it stated that having gone over to Holland in 1674,

⁷¹ I am informed by the Hon. Mrs. Langford-Carleton (daughter of the late Lord Dorchester) that Captain George has generally been considered as one of the family; but apparently General Thomas Carleton was a sceptic.

⁷² That Captain George was also a member of the Oxfordshire, or at all events of some English branch, is also rendered probable by the evidence of two documents, one being a petition from Brigadier-general Tiffin [Pub. Rec. Ireld., Petitions, 1696-1749 i. 53], written either in February or March 1697-8 (shortly after the Inniskillingers had landed in Ireland) and minuted by the lords justices on 14 March, 1697-8, giving the names of twelve officers of the regiment including that of Carleton, the eleven others being apparently all English; and the other, a letter from the lords justices to the earl of Rochester dated 20 March, 1700-1 [*Hyde MSS. Add. 15895 f. 52*] alluding to Tiffin's regiment (then at Cork) and stating: 'His officers (are) for the most part English, but the soldiers Inniskilliners of Scotch parentage.' On the other hand, Lord Elliot's statement, if founded on fact (see note 26), would go to show that the captain was one of the Fermanagh branch.

⁷³ *The Name of Carleton.*—In the official and other records of the seventeenth and eighteenth centuries the name of 'Carleton' or 'Carlton,' in connexion with both England and Ireland, is frequently met with. Moreover, since it was not infrequently mis-spelt 'Charleton' or 'Charlton' (see note 40), it cannot always be certain, when the two latter names are found, though probably they usually belonged to a separate and distinct family, that in reality it is not the Carletons to whom allusion is being made. For notices of persons of these four names see *Calendars of Treasury Papers (passim)*; *Hist. MSS. Commission*, 1st, 4th, 5th, 6th, 7th, 8th, and 9th reports, and Public Records of Great Britain and Ireland (manuscript documents of all sorts) *temp.* seventeenth and eighteenth centuries. That the name also was not confined to one class of society is proved by the case of the notorious Mary Moders who in 1663 trigamously married one John Carleton (apparently a respectable London tradesman), whilst her previous husbands Stedman (a shoemaker) and Day (a surgeon) were still living. [The father and brother of Mrs. Stedman's third husband happened each to be named George Carleton.] On suspicion of this multiple connexion she was tried for her life in 1663, but for want of sufficient evidence acquitted. She afterwards became a rather famous actress, and eventually lapsed into a courtesan. In 1678-9 (when she confessed to all her marriages) she was hanged at Tyburn for theft. *Life and Character of Mrs. Mary Moders, 'the famous German Princess,'* Brit. Mus. Lib. Pepys's *Diary* (1876) ii. 225, 235, 458.

⁷⁴ In all references to the *Carleton Memoirs*, Tegg's compact edition of 1840, forming vol. viii. of *The Novels and Miscellaneous Works of Daniel Defoe*, is the one from which the quotations are taken.

when that country was at war with France, Carleton, in company with Claverhouse (afterwards the famous Dundee), Collier (subsequently Lord Portmore), and several others, served as a volunteer in the prince of Orange's guards commanded by Count Solmes.⁷⁵ In 1676, on account of his signal bravery (so he tells us) when leader of the forlorn hope at the assault of Maestricht, he won an ensign's commission in Fenwick's (afterwards the fifth) regiment of English foot, then in the Dutch service.⁷⁶ But this exploit is hardly consistent with a remarkable feat of cowardice (told in the inimitably easy style that forms a special characteristic of the whole work) which he is made to say (or rather to convey the impression) that he performed at the battle of Seneff in 1674.⁷⁷ However, as none of these are testable assertions, and as most of the statements concerning the deeds of Fenwick's foot in Holland up to the peace of Nymeguen in 1678 are told in a very succinct and general manner, we will proceed to his alleged return from Holland in 1685. Some time after this event, but before the summer of 1687 (his chronology throughout is very vague), he receives a lieutenancy in Tufton's, later on Leslie's (afterwards the 15th) regiment, then serving in England.⁷⁸ Here we arrive on solid ground; and on searching the commission books at the War Office it has been found that no such officer ever was in this regiment.⁷⁹ But curiously enough a gentleman named *Villar* Carleton was actually appointed to it as *ensign* on 1 Jan. 1688-9.⁸⁰ Though in the records and genealogies which have been searched, this person cannot be traced, yet there is little doubt that he and George were kinsmen, and probably both of them known to Swift; and thus it is probably *Villar* who gave the information (some of which has the air of being genuine reminiscence) concerning the doings of this regiment in Scotland, whither in 1689 it was sent.⁸¹ However, it may be interesting to learn from the 'Memoirs' that Lieutenant George, who never belonged to the corps, nevertheless, in 1690, as one of its officers, captured single-handed from the rebels in Scotland the castle of Lethindy.⁸² This passage of arms is alleged

⁷⁵ *Carleton*, pp. 7, 8.

⁷⁶ *Ib.* pp. 15, 17.

⁷⁷ *Ib.* pp. 9, 11. Carleton's presence 'at the Battel of Seneife, and the Seidge of Mastricht where he was wounded,' is attested by a memorandum enclosed in a letter of 17-21 May 1685, from Dr. Covell, chaplain to the princess of Orange, recommending him for a captaincy. The letter and inclosures are printed by Mr. C. E. Doble in the *Academy* (6 July 1889) xxxvi. 10.—Ed. E. H. R.

⁷⁸ *Ib.* p. 25.

⁷⁹ War Office letter, 3 June, 1885. ⁸⁰ *Ib.* ⁸¹ Cannon's *Records*, 15th Foot.

⁸² Carleton states that this affair occurred 'some time after' the building of Fort William by General Mackay, another operation in which he professes to have shared; but as a matter of fact the fort was not commenced till July 1690, whilst the Lethindy affair and the associated surprise at Cromdale (which he also depicts) occurred on 1 May, 1690. *Carleton*, pp. 26-29. See also Mackay's *Life of General Mackay*, pp. 87-91; Balcarres's *Memoirs*, p. 63; *London Gazette*, 8-12 May, 1690; Luttrell's *Diary*, ii. pp. 40, 67; Boyer (*K. Will.*), p. 260; Tindal, xiii. pp. 317, 328; Clarke's *James II*, ii. 430; Cannon's *Records*, 15th Regt. pp. 1-8, 83-84; Scots Greys, pp. 30-32.

to have been effected by dint of great prowess in throwing grenades,⁸³ and to have so commended itself to Sir Thomas Levingstone (afterwards Lord Teviot and commander-in-chief in Scotland), under whose eyes it was performed, that he obtained for the valiant subaltern—though not till two years afterwards⁸⁴—a commission as captain in Tiffin's Inniskillingers (afterwards the 27th). This corps was raised in 1689, had done good service in the Irish war (especially at the defence of Enniskillen), and was then about to proceed on foreign service.⁸⁵

Whilst in Flanders with this new regiment (to which in 1698, as we have seen, he certainly belonged), Carleton, as a sharer and eye-witness, describes the battle of Steinkirk fought on 24 July, 1692; but here the writer's genius is again at fault, for when this event took place Tiffin's regiment had not even landed in Holland.⁸⁶ However he goes on to narrate the deeds of Carleton in it during the remainder of the war;⁸⁷ and from this chronicle it appears that it was due to the consummate skill and coolness with which the hero of Maestricht and Lethindy commanded the grenadiers of the rear guard, that the celebrated retreat of Prince Vaudemont from Aarseele to Ghent in 1695, before the superior force of Marshal Villeroy, owed its main

⁸³ So far as can be ascertained there was no grenade throwing of any kind; but a mine was commenced which at once caused the garrison to surrender.

⁸⁴ *Carl.* pp. 29, 30. As a good illustration of the off-hand vagueness and inaccuracy which pervades the *Memoirs*, it may be mentioned that the interval of two years that really ensued after the Lethindy affair, is described as 'soon after' that event, and that during this period the veteran's career is altogether unchronicled.

⁸⁵ As regards the doings of the Carletons about this period, it is to be noted that in June 1685, one Thomas Carleton received a commission as ensign in a regiment of foot, newly raised by the earl of Huntingdon (afterwards the 13th), in which on 1 Sept. 1687 he attained the rank of captain-lieutenant. Now in 1689 this corps, then known as Hastings', served in Scotland with Leslie's; whilst in August 1692 it went to Flanders with Tiffin's, was employed with it on the fortifications of Furnes and Dixmuyd, and returned with it to England in the winter. May not this Thomas possibly have been the son of George of Ewelme? But, however this may have been, it is at all events very probable that he aided in supplying materials for the *Memoirs*. [Pub. Rec. Eng., State Papers, Mil. Entries, 1679-1687, ff. 221, 418; Cannon's *Records*, 13th Foot; Tindal xiv. 22.] In Boyer's *Life of James II* (1703), p. 282, a Captain Thomas Carleton is mentioned as coming over to Ireland from France with King James in 1689; whilst both in Balcarres's *Memoirs* (p. 38), and in MacPherson's *Original Papers* (i. 360), there is allusion to a Jacobite agent named Carlton or 'Carleton' who in 1689 was attending the ex-monarch. It is not impossible that this was the captain of the 13th regiment; and that in 1688, with his colonel (the earl of Huntingdon) he had left his corps to follow the fortunes of his late sovereign.

⁸⁶ The troops forming the duke of Leinster's expedition, comprising amongst them Tiffin's and Hastings' foot, landed at Ostend on 22 August, 1692. Carleton describes the battle as taking place 'soon after' this landing. [*Carl.* pp. 30-32. *London Gazette*, 25-28 July, p. 28; 1 August, pp. 8-11, 18-22, 22-25, 25-29, 1692. Luttrell, ii. 527. Tindal, xiv. 3, 9-13, 22.] A little further on [*Carl.* p. 34] there is also an historical slip in reference to the battle of Landen, the date of which is given as 1694 instead of 1693.

⁸⁷ In November 1693 Tiffin's regiment again embarked for Flanders. [Luttrell, ii. 230.]

success.⁸⁸ In the same year Carleton is leader of the detachment of grenadiers, stated to have been furnished by Tiffin's for a share in the assault of Namur citadel under Lord Cutts; but again, unfortunately, the closest researches have failed to discover that, in this operation, the grenadiers or regiment of Tiffin took any part whatever.⁸⁹ Moreover, singularly enough, the writer omits all mention of that bloody and unsuccessful attack on fort Knocque by the duke of Würtemberg, which was really the sole fighting throughout the war in which the Inniskillingers were engaged, wherein, after behaving very gallantly, they suffered heavy loss.⁹⁰ But the Namur business has an important literary value, for it entails a notice by Lord Cutts of the bravery which Carleton tells us he displayed thereat; and in 1696, when the regiment has come over to England, leads to his selection by that general for a confidential piece of service connected with the recently discovered assassination plot.⁹¹ Four years later, however, we know for certain that the hero was rather ignominiously placed on the shelf. Here at last then our writer's story must surely be brought up short by the stern logic of fact—but not a bit of it. In the easiest manner possible he rises to the occasion; and the regiment having (as he says) been ordered to the West Indies,⁹² Carleton, who is anxious to avoid service in so unpleasant a climate,

⁸⁸ *Carl.* pp. 36–37. See D'Auvergne's *History* (1696), pp. 49–56, or Boyer's *Life of King William* (1703), from either of which the account could have been compiled.

⁸⁹ *Carl.* pp. 38–39. *London Gazette*, 29 August, 1695. D'Auvergne (1696), pp. 108–166. *Journal of Siege of Namur* (Brit. Mus. Lib.), pp. 8–27. *Tindal*, xiv. 237. *Smollett*, i. 257. *Kane's Campaigns*, 23–25. *Kennet*, iii. 697. *Ralph*, ii. 604. *Cannon's Records*, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 10th, 13th, 14th, 16th, 17th, 18th, 19th, and 23rd regiments. *Hamilton's Grenadier Guards*, i. 400–402.

⁹⁰ Brigadier Tiffin commanded a brigade containing Tiffin's, Churchill's, Granville's, Ingoldsby's, Maitland's, Ferguson's, Lorne's, and Buchan's regiments, and was himself wounded. Another English brigade was led by Colonel Sir James Leslie, and included Leslie's foot (15th) which landed in Flanders in June 1694. Though this corps (having been detached to form part of the garrison of Dixmuyde) did not share in the siege of Namur in 1695, or in Vaudemont's campaign of that year, yet it is curious that for a time Tiffin's and Leslie's must have served together; and if Villar Carleton were still in the latter regiment he might easily have been able to furnish some information about the former. But the complete silence about Knocque would seem to show that neither George nor Villar had any control over the wording of the *Memoirs*, and that in regard to the alleged warlike doings of the Inniskillingers in Flanders (commencing with the ominous Steinkirk business) the whole is a sheer concoction, George having probably joined the regiment after the fighting was over, i.e. not earlier than 1696. D'Auvergne (1696), pp. 17, 31–32, 45–46. *Cannon* (15th Regt.).

⁹¹ *Carl.* p. 39–40. This business of Lord Cutts and the assassination plot was probably concocted from Boyer's *Life of King William* (pp. 447–460), published in 1703.

⁹² *Carl.* p. 47. The Inniskillingers did not embark till August or September 1701, long after Carleton had been cashiered. [Pub. Rec. Ireld., Country Letters, i. f. 13. Order of 29 July, 1701, for Tiffin's Foot to march from Limerick to Cork to embark there for the West Indies.] In October the transport containing them was driven back by stress of weather to Kinsale, and did not finally sail before 5 Feb. 1701–2 at the earliest. [Pub. Rec. Ireld., Mil. Books, Misc. i. 11, 56, 59, 73.]

quite accidentally finds himself away in England just as the regiment is embarking in Ireland; and having thus missed his passage, is allowed to exchange with a captain on half pay.⁹³ Till 1705 he remains in a state of 'inglorious inactivity,' but in that year his old admirer Lord Cutts returns from the Netherlands to take up the duties of commander of the forces in Ireland.⁹⁴

Upon which [says Carleton] going to congratulate him, he was pleased to enquire of me several things relating to that country, and particularly in what part of Dublin I would recommend his residence.

The cashiered captain, who at the time appears to have been maintaining himself, his wife, and his three children in some wretched lodging on a pittance of 3s. a day, then proceeds thus:—

I told his lordship that as to a place of residence, *I was master of a house in Dublin large enough, and suitable to his great quality*, which should be at his service on any terms he thought fit.⁹⁵

The general, who, with all his excellent attributes, was rather a beau and fond of pomp, in which fact lies the whole flavour of this neat satiric touch, at once closes with so magnanimous an offer; and in gratitude speaks in favour of his landlord to the earl of Peterborough, then about to proceed with the expedition to Spain.⁹⁶ On the staff of that commander Carleton immediately obtains a confidential post; and with this amusing incident the prologue is fitly brought to a close.⁹⁷ But the artistic literary chain by which the destinies of Carleton and Peterborough are thus brought into contact is worthy of the highest praise; for mark how naturally Solmes' guards and Maestricht lead to Leslie's foot and Lethindy; these, to Tiffin's regiment and Namur citadel; and the two last to Cutts and Peterborough. In this connexion Swift's abominable lampoon on the former peer, written this very year, and known under the title of 'The Salamander,'⁹⁸ deserves to be

⁹³ *Carl.* p. 47. It is a noteworthy fact that from 1698 to 1701 Leslie's (then Howe's)—Leslie having been cashiered for his share in the surrender of Dismyde in 1695) was again serving with Tiffin's, for during these years it was stationed in Ireland, and perhaps Villar Carleton was still with it. [*Cannon* (15th Regt.).]

⁹⁴ This was actually the case; but in alluding to Lord Cutts's recent services the writer makes a singular blunder, for among the actions in which Cutts is stated to have taken part are those of 'Donawert, Höchstet and Blenheim' [*Carl.* 48]; the two latter being different names for the same battle.

⁹⁵ *Carl.* 49. See also note 58.

⁹⁶ As a matter of fact the place of residence of Lord Cutts in Dublin during his justice was Kerry House in Molesworth Street, the family residence of the Fitzmaurices. At least that is where he died in January 1706-7. [Gilbert's *Dublin*, iii. 257.]

⁹⁷ *Carl.* 49, and 'Address to the Reader.'

⁹⁸ *Works*, xiv. One of the few pieces ever directly owned by Swift [see 'Journal,' ii. 24 Oct. 1711]; though he took care not to publish it till after the death of Cutts. In its almost unreadable contents, purporting to describe the conduct of the general in Dublin, there is a remarkable mention of the name 'Carleton.' From 1700 to 1710 Swift, as a prebendary of St. Patrick's, lived chiefly in Dublin.

borne in mind ; for in the foregoing passages from the 'Memoirs,' Cutts is unmistakably ridiculed.

When we come to the drama itself, to the scenes of the Spanish war, we find that George Carleton (having had his turn) has to step aside and confine himself to the task of recording the deeds of a hero even greater than himself, for otherwise what would be the literary use of his staff appointment? Accordingly, be the business of Peterborough what it may—a scientific siege, a cavalry combat, an infantry engagement, a desperate assault, a naval relief of a fortress, a 'conquest' of a kingdom, a bull-fight, or a visit to a nunnery—all is one to the faithful aide-de-camp, who everywhere and under all conditions is the very shadow of his chief. For were not all these daring exploits to be given to the world twenty-three years later on? And surely when we consider the magnitude and importance of the events in question such a period was little enough to prepare them duly for the press. The only biographical spoke in the wheel of this very clever arrangement is the fact that by dogged and envious public records we are incontrovertibly informed that during the whole of his Spanish volunteering Carleton had no certain means even of subsistence, let alone holding a lucrative berth on the staff of the general in command.⁹⁹ So far as can be judged (and the idea is corroborated by his own 'Memoirs') he must have lived from hand-to-mouth as a sort of army follower, maintaining himself by presents from kindly-disposed officers, pickings of prize money, and odd scraps of plunder.¹⁰⁰ Hence in 1708 when the poor man was taken prisoner he must have found himself in clover; for then at all events he regularly received his rations of food. But if the case had been otherwise, it may perhaps be asked, why should he *not* have acted in the capacity of special reporter for Peterborough during the war? Is there anything undignified in the rôle of war correspondent? Nothing at all—so long as he speaks the truth; but unfortunately, and here we arrive at the historical spoke in the wheel, the narrative to which Carleton's name has been affixed, on being carefully compared with all contemporary records, manuscript and printed, English and foreign, proves itself a chronicle that could alone have been produced by persons of the known characters of Peterborough himself,¹⁰¹ of Dean Swift, or of Mary Manley, their intimate associate.

⁹⁹ Pub. Rec. Ireld., Petitions xv. f. 33. Richards Papers, Stowe Coll. xxix. [140] 10, 11 April 1708. See also text to note 46.

¹⁰⁰ Richards Papers, Stowe Coll. xxix [140]. Letter from Major-General John Richards to Captain Carleton, dated Alicant, 10 April 1708, rather curtly replying to one from Carleton (at Denia) not given, and referring to the latter having had the luck [how is not stated] to obtain a sum of 80*l*. 'which in these calamitous times' says Richards 'is a great deal of money.' See also *Carl*. 44, 133, 156, 207.

¹⁰¹ Peterborough was a man notorious for trickery and bombast, on whose word no one relied. In 1697, at the attainder of Sir John Fenwick, he was convicted by the house of lords of having pledged his word of honour to a falsehood.

The versions of the assault of Montjuic fort by Prince George of Hesse Damstadt in 1705 (forming the pith of the whole drama),¹⁰² the relief of Barcelona by Sir John Leake in 1706, and the capture of Madrid by the earl of Galway in the same year are all specimens of those most dexterous and insidious falsehoods which are founded on, and environed by, truthful features. To refute them here in detail would be to re-write my history of this war, or at least of that part of it in which Peterborough was the chief obstructor of active operations. Consequently I would beg respectfully to refer inquiring readers to the narrative in question, where will be found a complete exposure of the historical portion of the Carleton 'Memoirs.'¹⁰³

If untruth were the only blemish in the 'Memoirs,' their worthlessness would of course be sufficiently manifest; but it is in the calumny forged to sustain the general mendacity of the narrative that its poison chiefly resides; and in this sphere at this period Swift was *facile princeps*. In order to support its hero in that position of stable equilibrium typified by a cone resting on its apex, the characters of the generals, admirals, and leading officers with whom he was associated have to be similarly reversed; and among them all not a vestige of reputation is left. For, without the necessary foils, how is a Bayard of verbiage to be drawn? If all light is to be focussed on one individual, obviously the rest must be thrown into the shade. And who so fit for that murky region as the dead rivals of this heroic personage? And if in reality one of them was a lion, with whose skin, when killed, a jackal had clothed himself; and a second, a brave leader, who (though repeatedly wounded) lived long enough to bear some witness to the behaviour of the jackal; clearly no amount of odium would be too great to heap on their memories. For it is almost needless to say that when these 'Memoirs' were published, Prince George and Lord Galway, with all the officers specially slandered, were dead.¹⁰⁴ As a matter of fact there is abundant

¹⁰² Throughout the Carleton version of the conception and execution of this assault [Carl. 50-72] there runs on the part of Peterborough a very remarkable vein of excuse and self-justification. The admissions thus unconsciously made constitute in reality strong confirmations of the true story, and indeed, to a great extent, of the charges of cowardice made against Peterborough by some of the allied generals at the camp of King Charles, as well as by Rieutort, Kingston and others (after his return home) in reply to the 'Account' of his conduct written by himself through the medium of Dr. Freind. See note 198.

¹⁰³ For detailed narratives of the actual facts, based on a comparison of original unpublished MSS. and contemporary printed records, English and foreign, see Parnell, 106-139, 154-170, and 171-190.

¹⁰⁴ *The officers traduced by the Carleton 'Memoirs.'*—These gallant officers, with the dates of their deaths, and the principal libels uttered against them, are as follows: (1) *Field-Marshal Prince George of Hesse Darmstadt* [killed 1705]. Was a mere spectator of Peterborough's prowess at Montjuic, and a little later was shot in the act of running away (Carl. 52-68). (2) *General the earl of Galway* [died 1720]. Treacherously thwarted and obstructed Peterborough throughout the war (Carl. 104-5, 109-10,

evidence afforded by Freind's 'Account' written for Peterborough, by the conduct of that peer in Spain, by his letters from that country, and by his proceedings in the House of Lords in 1711, that against these two commanders he cherished the greatest enmity.¹⁰⁵ Equally certain is it that against the Huguenot general the animosity on

128-33). (3) *Vice-Admiral Sir John Leake* [died 1720]. Pusillanimously hindered Peterborough from relieving Barcelona (*Carl.* 91-98). (4) *Brigadier-General Lord Charlemont* [died 1726]. Headed his men in deserting an important post during a panic occasioned solely by Peterborough's leaving them for a few minutes to make a reconnaissance (*Carl.* 69-70). (5) *Brigadier-General Richard Gorges* [died 1728]. On capturing Alicant town advised the citizens to place their principal goods under his protection to save them from being plundered, and then appropriated them as his own booty. Afterwards the castle capitulates, not to Gorges (as was really the case) but to Peterborough (*Carl.* 124). (6) *Major-General John Richards* and (7) *Colonel Frederick Syburg* [both killed 1709]. During the defence of Alicant in 1709, at the moment of the critical mining attack by which they were killed, were either drunk, or next door to it. (8) *Lieutenant-Colonel Pierre De Pages* [date of death unknown] and (9) *Lieutenant-Colonel Henry Thornicroft* [killed 1709]. At the same defence these two officers purposely made a false official report on the nature of the enemy's mines which they were sent to inspect (*Carl.* 157). (10) *Lieutenant-Colonel Charles Perceval* [died 1713]. At the defence of Denia in 1708, when governor of the castle, stole all the public treasure he could lay hands on, and then after making a secret capitulation with the enemy for the safety of himself and his money, delivered up the garrison as prisoners of war (*Carl.* 155). In addition to the foregoing brave officers who are thus aspersed, the following are either depreciated or altogether ignored:—(11) *Admiral Sir Cloudesley Shovel* [drowned 1707]. (12) *Lieutenant-General Henry Conyngham* [killed 1706]. (13) *Lieutenant-General Hugh Wyndham* [died during the campaign, 1706]. (14) *Major-General the earl of Donegal* [killed 1706]. (15) *Brigadier-General Lewis Petit* [died 1720]. (16) *Colonel William Rieutort* [died 1726]. (17) *Colonel William Southwell* [dead in 1719]; and (18) *Lieutenant-Colonel Jean Chardeloup* [date of death unknown]. The manner in which the whole of these officers are misrepresented, and their achievements diminished, can only be fully appreciated by comparing the true account of the war with that furnished by the *Carleton Memoirs*. But it may safely be asserted that by the eighteen distinguished men comprised in these two lists the bulk of the fighting on the side of the English was mainly conducted. [See also note 198.] As regards Peterborough himself, it cannot be ascertained as a fact that he was ever even under fire. Other leading officers who, if alive at the time of the publication of the *Memoirs* (and cognisant of their existence), would have been concerned in refuting them are General Lord Teviot [died 1711], General Lord Cutts [died 1706], Lieutenant-General Lord Tyrawley [died 1724], Lieutenant-General James (afterwards Earl) Stanhope [died 1720-1], Major-General Sir John Hammer [died 1702], Major-General Richard Ingoldsby [died 1712], and Brigadier-General Zachariah Tiffin [died 1702] (the three last being the three members of the court-martial held on Carleton), Major-General Hans Hamilton [died 1721], Brigadier-General Robert Killigrew [killed 1707], Brigadier-General Michael Richards [died 1722], and Colonel James St. Pierre [died 1713]. Of these deaths the dates are chiefly derived from the Public Records, Cannon's *Records*, the Ordnance Minutes, Burke's *Peerage*, Boyer's *Annals*, Campbell's *Admirals*, Agnew's *Exiles*, St. Pierre's *Journal*, and Parnell's *History*.

¹⁰⁵ Freind's *Account of the earl of Peterborow's conduct*, 59 et seq. Hatton Finch Papers, Add. 29589 f. 449. Boyer [*Annals*] ix. 289. Also against Sir John Leake, Lord Charlemont, Gorges, Sir Cloudesley Shovel, and Conyngham, the records utilised in my history of this war clearly show that Peterborough bore either hostility or malevolence; and it is probable that to this list Richards must also be added, for after this officer ceased to act as the confidential agent of Peterborough, there was evidently no love lost between them.

the part of Peterborough hardly exceeded that borne by Swift himself.¹⁰⁶

I now propose to adduce some passages in the 'Memoirs' relative to Peterborough and Galway, almost the facsimiles of one written by Swift in his 'Conduct of the Allies,' the principal attack made by St. John and his 'pen' against Marlborough and the whigs; and proving, I think, almost irresistibly, his handiwork in the former narrative. In regard to the Madrid campaign Carleton is thus made to express himself:—

The earl of Peterborow . . . arrived at my lord Galway's camp at Guadalaxara; who . . . unfortunately was ordered from Portugal to take the command from a general who had all along been almost miraculously successful, and by his own great actions paved the way for a safe passage to that of his supplanter. . . . Thence was the earl of Peterborow recalled to make room for an unfortunate general who, the next year, suffered himself to be decoyed into that fatal battle of Almanza.¹⁰⁷

And again, later on:—

They had seen him [Peterborough] unelated under successes that were so near being unaccountable that . . . they might almost have passed for miraculous; they knew full well that nothing but that series of successes had paved a passage for the general that was to supersede him; those only having removed all the difficulties of his march from Portugal to Madrid.¹⁰⁸ . . . How mortifying must it be to an Englishman, after he has found himself solaced with a relation of so many surprising successes of her Majesty's arms under the earl of Peterborow . . . to change this glorious landscape, I say, for scenes every way different, even where our troops were as numerous as the enemy and better provided, yet always baffled and beaten, and flying before the enemy, till fatally ruined in the battle of Almanza.¹⁰⁹

Now let us turn to Swift in his reference to Spain in the 'Conduct of the Allies.'

By a most corrupt management the only general who by a course of conduct and fortune almost miraculous had nearly put us into possession

¹⁰⁶ See *Short Character of the earl of Wharton*, iv. (Constable) 21; *Vindication of Lord Carteret*, vii. 288 (very virulent); and *Remarks on the characters of the court of Queen Anne*, xii. In the last-mentioned piece, after Macky's character describing Lord Galway as 'very modest, vigilant and sincere, a man of honour and honesty,' Swift writes: 'In all directly otherwise,' and then adds: '*A deceitful, hypocritical, factious knave; a damnable hypocrite, of no religion.*' In 1700, when this peer was leading lord justice of Ireland [see note 44], and Swift was chaplain to the other, Lord Berkeley, it was to the former that he mainly owed his debarment from the good living of Ratoeth, which, with the Derry deanery, Dr. Bolton was allowed to retain. [Add. MSS. Ellis Papers, 28885 f. 244, 254. Pub. Rec. Ireld., Civil Affairs, iii. 26.] Of these times Swift's own account, given in his 'Anecdotes of the Family of Swift' [Works, I. App. corrected by Forster's *Life of Swift*, 11 et seq.], is a libellous mis-statement; and indeed the whole of these curious 'Anecdotes,' when compared with contemporary records, are found to be a tissue of fabrication.

¹⁰⁷ *Carl.* 109-110.

¹⁰⁸ *Ib.* 115.

¹⁰⁹ *Ib.* 133.

of the Kingdom was left wholly unsupported, exposed to the envy of his rivals . . . and at last called home in discontent. By which our armies . . . were made a sacrifice to avarice, ill-conduct, or treachery.¹¹⁰

That this last inuendo is levelled at Lord Galway, and alludes to his loss of the battle of Almanza, the reply made to it at the time by Dr. Hare, on the side of the whigs, proves beyond a question ;¹¹¹ and moreover, further on in the same essay, Swift sneeringly says :— ‘ In the year 1706 the Portuguese, British, and Dutch forces marched with the earl of Galway into Castile, and by the noble conduct of that general being forced to retire into Valencia it was found necessary to raise a new army on the Portugal side.’¹¹² Now, in the first place, is there not a wonderful similarity between these parallel passages and especially between the portions in italics? And, secondly, are the Carleton extracts the sort of reminiscences that this bullying, sponging hanger-on of the army in Spain would be likely ever to have penned? But putting the matter in a stronger light, even supposing a man like Carleton should have concerned himself with the merits of two rival commanders—is it likely that he would have fallen foul of his own persistent benefactor Lord Galway? Is it not much more probable that in a *bonâ fide* narrative, he would have said all he could in praise of that peer?¹¹³ Again, retracing our steps—would Carleton naturally have written a systematic perversion of the history of the Barcelona, Madrid, Denia, and other operations?¹¹⁴

¹¹⁰ *Works*, iv. 313. Curious to relate, both this and the Carleton version are clearly originated by almost identically-worded passages in the scurrilous *New Atalantis* of Mary Manley, who next to Swift was the chief tory writer. This work is in four parts, of which i. and ii. were published in 1709; iii. in 1710; and iv. in 1711, the same year as the ‘Conduct,’ but earlier. In the two last the actions of Peterborough in Spain are greatly lauded, he being in fact the hero of the whole work; whilst Galway and Marlborough are grossly lampooned. Generally speaking, the account of Peterborough and Galway in Spain given throughout in *Carleton* is exactly the same as that in the *New Atalantis*; and it seems almost certain that the latter must have been not only mainly inspired by Peterborough, but also partly written by Swift. [*New Atalantis* (7th ed., 1736) iii. 17–19, 166, 235–238; iv. 193–228.]

¹¹¹ *The Allies and the Late Ministry Defended*, pt. iv. [1712]. In this pamphlet Hare, who was chaplain to Marlborough, alludes to Peterborough as ‘the Hero of this author [Swift] and his faction.’

¹¹² *Works*, iv. 335.

¹¹³ That in the welfare of the Carleton family generally, Lord Galway took some interest seems probable from a letter of Eustace Budgell (secretary to the lords justices) addressed to the collector of Longford, dated July 19, 1716, when Galway was again administering the affairs of Ireland: ‘I am by my Lord Galway’s orders to desire you will pay the bearer Lieut. Carleton on the receipt hereof the sum of 2*l.* 10*s.* 0*d.* on His Lpp’s account, being his allowance for one Qr. . and desiring such payment to be made as long as Lieut. Carleton stays there, charging it to His Excell’s account.’ [Pub. Rec. Irel., County Letters (1701–48) xvi. f. 102.] Who this particular member of the family was there is nothing further to show; but he was doubtless an officer living in poverty.

¹¹⁴ In connexion with the Carleton narrative of the second siege of Denia there occurs a chronological stultification even more remarkable than those pointed out in regard to Cromdale and Steinkirk [see notes 82, 86]. The siege of Lerida was com-

Would he spontaneously have traduced the memory of Prince George, a young general of European reputation, who was loved by every one that knew him, and by no one more than by Lord Galway? Would he on his own account have malignantly depreciated Sir John Leake, an admiral with whose motives and measures he cannot possibly have had anything to do?¹¹⁵ Turning

menced by the French on 2 Oct. 1707, and the town fell on 14 Oct. At that time Lord Galway and the Allies lay near Tarraga intending to attempt the relief of Lerida Castle, which was then about to be attacked. Carleton [p. 142] waits on Galway at Tarraga, and after hearing there (as he tells us) *the news of the fall of Lerida town*, receives orders to repair to Denia. 'Three weeks' after his arrival there, the place (he says) is besieged by General D'Asfeld [p. 152], and he then goes on to give what purports to be an account of the *first* siege of Denia, describing the skilful measures he himself took in the defence. But as a matter of fact this *first* siege (at which the real Carleton was not present at all) ended on 12 June 1707, or four months before the fall of Lerida town. However, after proceeding to explain the means by which he secured Denia against any future attack (all actually done by Chardeloup), he informs us [p. 154] that 'about eight months from the former siege' D'Asfeld made his second attempt; but in reality this did not occur till 2 Nov. 1708. He then gives his version of this second siege (at which the genuine Carleton actually was present) and goes on to slander Colonel Perceval. But evidently the account of the first siege is a sheer fabrication inserted by the inventor without sufficient forethought; and this fact hardly tends to render it probable that the narrative of the second siege is a model of rigid veracity.

¹¹⁵ *Swift's cognisance of the officers traduced.*—Among the eighteen officers mentioned [Note 103] as aspersed or ignored by the *Memoirs*, five, viz. Syburg, Pagez, Petit, Rieutort, and Chardeloup, were co-religionists of Lord Galway, and against Huguenots in general the writings of Swift clearly evince much animosity; but he appears to have previously known, or had personal cognisance of, at least eight others—viz. (a) Lord Galway [see note 105]: (b) Lord Charlemont [see 'Tripos,' *Works*, vi. 219, 227]: (c) Lieutenant-General Gorges [see 'Epitaph on General Gorges,' *Works*, xiv. (In this scurrilous piece of verse, written in the same year as that in which the *Memoirs* appeared, allusion is made to 'the Alicant plate' belonging to the general—an insinuation evidently of precisely the same nature as that in the *Carleton Memoirs*—and also to the alleged avarice of Gorges, as to which also in the *Memoirs* [Carl. 134] a very similar inuendo is made); 'Short Character,' iv. (Constable) 25; and 'Journal' of 5 April 1713, *Works*, iii.]: (d) Major-General Richards [see The Presbyterians' Plea of Merit,' *Works*, viii.]: (e) Colonel Perceval [see 'General Consternation,' *Works*, xiii. 264]: (f) Lieutenant-General Conyngham [see No. 256, 'Picture of a Beau' (Wilde's *Closing years of Swift's Life*, 141)]: (g) Lord Donegal [see *Works*, xv. Letter of 29 April 1696]: and (h) Colonel Southwell ['Picture of a Beau,' (Wilde, 141)]. (b) On reference to the writings specified it will be seen that attempts are made to ridicule Charlemont. (c) In regard to Gorges it is to be noted that he was a friend of Lord Wharton [Godolphin Papers, Add. 28057 f. 311] and of Dr. Arthur Bushe [Ellis Papers, Add. 28884 f. 290], against both of whom Swift bore a deadly hatred; and that, equally with himself, his wife, Lady Meath (both before and after her marriage), was an object of Swift's animus. [As to Lady Meath, see *Works*, xiv. 'The Conferences,' and ii. 'Journal' of 25 Feb. 1711-12; besides the 'Epitaph.']. (d) Richards was a son of Colonel Solomon Richards, a noted Irish Presbyterian; and in the piece above-mentioned, which is a diatribe against this community, this officer (one of whose sons Swift says he knew) is very bitterly treated. (e) In respect of Perceval, he is nowhere actually named, but the satirical allusion in 'General Consternation' to two officers about to fight a duel because one was put over the other's head can hardly refer to any one else, for it was in such a manner, having been challenged by the major he superseded, that in 1713 Perceval was killed. But, in addition, there was a great mutual attachment between him and his brother, William Perceval, archdeacon

finally to his own personal actions, is it likely that with one foot in the grave he would deliberately have invented the stories about his services in Leslie's and Tiffin's regiments, his method of being placed on half pay, and the offer of his Dublin mansion to Lord Cutts? The whole idea is an insult to reason; and if at the very time the book appeared there had not flourished at the deanery of St. Patrick's the master (if not the originator) of the literary 'bite,' pure and simple, it would be difficult indeed to account for its production.¹¹⁶

Let us now deal a little more particularly with some of the internal characteristics of the 'Memoirs.' Broadly speaking, there seem to be seven of these features that call for comment: (1) the few really natural personal touches; (2) the Irish allusions; (3) the political references; (4) the somewhat rhetorical strain in which a few of the passages are couched; (5) the witty satires and sarcasms on the military profession; (6) the classical tone; and lastly (7) the numerous clerical descriptions. In regard to the first-mentioned point (1) it must be allowed that some slight incidents are described which unmistakably indicate their dictation or supply by one who, in the very subordinate status which Carleton really occupied, was actually present in Spain. Such are a portion of the siege operations at Barcelona in 1705 under Sir Cloudesley Shovel and Brigadier Petit, the improvement of the Alicant fortifications in 1707,¹¹⁷ the various notices of Colonel Borgard and Major Collier (superior officers of the train), the presents¹¹⁸ of money received from the latter and from General Stanhope,¹¹⁹ and the interview with

of Cashel, who took great interest in his military career. On the side of William this affection is demonstrated by his letters from Ireland of 14 Feb. 1706-7, 27 Dec. 1707, 3 Jan. 1707-8, 11 Dec. 1708, and 12 Nov. 1709, to his cousin, Sir John Perceval, relating to his brother Charles in Spain [Egmont MSS. vol. i.]; and on the part of the latter, partly by the fact of his detailed correspondence with William, and partly by the terms of his will written at Lisbon in August 1710, with a codicil dated April 1713 (shortly before he fell in the duel), in which he alludes to his 'well beloved brother William Percivale now Archdeacon of Cashel' whom he constitutes one of his executors. [Pub. Rec. Irel., Wills.] Now it is clear that between Swift and Archdeacon (afterwards Dean) Perceval there was a perpetual feud, of which the evidence is furnished by 'The Swan Tripe Club' [Works, x.], Swift's letter of 15 June 1706 to John Temple [Forster's Swift, 181], 'The Country Life' [Works, xiv.], and Swift's letter to Cope of 9 Oct. 1722 [Works, xvi.]. That the whole of the account of the second siege and defence of Denia (November 1708) and of Perceval's conduct thereat, as given in the *Carleton Memoirs*, is a systematic falsehood is conclusively shown by the united testimony of Lord Egmont's MSS. vol. i. [1697-1709] (to which I was courteously afforded access) and the Richards Papers [Stowe Collection], xxix. [See Parnell, 258-9]. In this second defence, equally as in the first (in 1707), Perceval made a gallant resistance, and after each occasion received reward.

¹¹⁶ In his letter to Mr. Tisdall of 16 Dec. 1703, Swift gives a very simple definition of the term 'bite'; and in his 'Journal' for 14 Dec. 1710, 11 Sept. 1711, 2 Oct. 1711, 3 Dec. 1711, and 31 March 1713, his love for this species of deceit, which he constantly designates by a shorter word, is amply shown. [See Works, ii. iii. xv.]

¹¹⁷ *Carl.* 75,

¹¹⁸ *Ib.* 75, 134, 231,

¹¹⁹ *Ib.* 133, 156.

Lord Galway when directed to proceed to Denia.¹²⁰ It so happens that nearly the whole of these references are corroborated by the letter or spirit of the documents from which I have been able to compile the account already given of Carleton's personality; hence it is not improbable that he sold the inspirer and originator of the 'Memoirs' some oral or written jottings (such as Mr. Lockhart conceived to have been the case), on the pretence of which a libellous chronicle purporting to constitute the simple tale of an honest veteran was evolved by the hired writer of the purchaser.¹²¹

The frequent allusions to Irish persons and matters (2),¹²² mainly depreciatory, are very noticeable; as also are the pains taken by Carleton to show himself an Englishman. In one passage where he professes to have left Ireland to reside in England, '*the little diversions of Dublin*,' he says, '*and the moderate conversation of that people*, were not of temptation enough to make my stay in England look like a burden.'¹²³ Clearly all this, and especially the last sneer, is eminently Swiftian; for no one hated Ireland and the Irish more heartily than did the dean of St. Patrick's.¹²⁴ The political references (3) are chiefly in the prologue of the work, and bearing on the reign of King William; but at the conclusion there is also a very notable one. As indicating the mind of a writer interested in the home politics of a period when Carleton is sup-

¹²⁰ *Carl.* 142.

¹²¹ In *Notes and Queries* of 13 Nov. 1858, 'Beta' made the suggestion that the *Memoirs* were written by the Rev. Lancelot Carleton, M.A., who had served in the Spanish war as a chaplain of dragoons and afterwards became rector of Padworth, in Berkshire, where in October 1730 he died and was buried [Collins's *Peerage*]. This was a younger brother of the George of Market Hill, Fermanagh, mentioned in *Note* 68; and it is not at all improbable that (like Villar Carleton and perhaps also Thomas) Lancelot may have provided Swift with notes or hints.

¹²² The following officers, all connected with Ireland, and more or less known to Swift, are among those mentioned by name: Lords Galway, Cutts, and Charlemont, Generals Conyngham, Gorges, and Richards, Colonels Southwell, Bateman, and Perceval. For notices of Irish priests and others, see *Carl.* 7, 125-8, 185-192, 193, 194-5, 211, 207-8, and 213.

¹²³ *Carl.* 47-48.

¹²⁴ *Swift's hatred of Ireland*.—As regards expressions of Swift's hatred of Ireland (he himself being English), see the following letters written by him: *Works*, ii. ['*Journal*,' 27 Nov. 1710]. Birch Papers, Add. 4223 f. 147; Letter to Bolingbroke, July 1713 ['*Thou wilt not leave my soul in hell*']; xix. [Letter to Miss Vanhomrigh (about 1715), describing Dublin as '*this nasty town*']; xvi. 30 Aug. 1716, to Pope [alluding to Ireland as '*hell or purgatory*']; 9 July 1717, to Cope [mentioning his '*perfect hatred*' to Dublin]; xvii. 29 Sept. 1725, to Pope ['*the noble scene of Dublin*']; 26 Nov. 1725, to Stopford ['*wretched Dublin in miserable Ireland*']; 17 Sept. 1726, to Pope; 10 May 1728, to Pope ['*God forbid I should condemn you to Ireland*']; 2 Aug. 1728, to Sheridan ['*I hate Dublin*']; 21 March 1728-9, to Bolingbroke [alluding to being left to die in Ireland in a rage, '*like a poisoned rat in a hole*']; xviii. 8 Feb. 1734-5 ['*this wretched kingdom*']; 12 April 1735, to Beach ['*this beggarly town, and wretched enslaved kingdom*']; 3 Sept. 1735, to Barber ['*this wretched, beggarly, enslaved country*']; xix, 14 June 1737, to Oxford ['*this wretched kingdom*']. See also *note* 133 regarding the Irish.

posed to be an inferior officer of a marching regiment, these allusions are not without value; for not only do they tend to reduce still further *ad absurdum* the idea of their being the real reminiscences of such an individual, but they readily promote the probability of Swift's handiwork.¹²⁵ As regards the rhetoric of the narrative (4), the passages occur chiefly in connexion with Spanish ceremonies and customs. But, as will hereafter be more fully demonstrated, it is manifest that most of these descriptions are amplified or recast from the published 'Letters of the Countess D'Aulnoy,' though I think that some papers of Dr. Freind—from whose flowery 'Account' (as we shall see) much of the 'Memoirs' is plagiarised—may also have formed the groundwork of a few; for it must be owned that Swift's natural style did not run into picturesqueness; still less, however, is it likely to have been the outcome of Carleton's literary efforts.¹²⁶

When we consider the witty satire on the military officers (5), the supposition that the work was written by such a man as the cashiered duellist must, I think, be altogether put out of court. For let us read his own account of the *métier* of duellists. The time is in 1672, when he is supposed to have been present as a volunteer on board the 'London' at the sea-fight of Southwold Bay, previous to going to Holland. In the same ship, he says, there was a gentleman who 'was of known personal courage, in the vulgar notion of it, his sword never having failed him in many private duels.' But, 'notwithstanding all his land mettle,' whenever the cannon-balls whizzed near him, he invariably ran down into the hold. On this the bully of young Ensign Cory proceeds to moralise as follows:—

There is a bravery of mind which I fancy few of those gentlemen duellists are possessed of. True courage cannot proceed from what Sir Walter Raleigh finely calls the art or philosophy of quarrel. No! it must be the issue of principle, and can have no other basis than a steady tenet of religion. This will appear more plain, if those *artists in murder* will give themselves leave coolly to consider, and answer me this question, Why he that had run so many risks at his sword's point should be so shamefully intimidated at the whiz of a cannon-ball? ¹²⁷

Again, there is the unmilitary conduct of the pretended author at the battle of Seneff, which has been already adverted to.

¹²⁵ For the principal political allusions, see *Carl.* 7 [Buckingham and Arlington in 1672], 21 [Charleroi], 22 [St. Denis], 25 [King James's abdication], 30 [Dunkirk in 1692], 31 [Steinkirk], 34 [after Landen in 1694], 40 [the Assassination Plot], 47 ['The over-hot debate of the House of Commons on the Partition Treaty' in 1701], 48 [death of King William], and 230 [Whigs and Tories in 1713]. For this last reference see text for note 217.

¹²⁶ *Carl.* 86, 144, 153, 197. See plagiarisms (5) to (8) and note 161.

¹²⁷ *Carl.* 4. When he penned this passage, the writer possibly had in his mind some reminiscence of Lord Wharton, who it will be remembered was a celebrated duellist.

Apparently, during the heat of the action, after deftly leaving the ranks, he critically watched the varying phases of the conflict from the safe eminence of a high tree or tower.¹²⁸ But this is outdone by the account of his intrepidity at the assault of Montjuic, where at the commencement of a panic he 'slips away,' ahead of all the others, in order to give the superfluous information to his commander, who is in rear, that the rest are coming too, and is afterwards uncommonly elated at the remembrance of so noble a deed.¹²⁹

That no single military description in the whole work was written by an officer of the army is, I think, sufficiently obvious to any expert of the present day, and alone is more than enough to account for the treatment of the work during the first eighty years of its existence as fictitious.¹³⁰ But, in their unmilitary conceptions, the various cock-and-bull anecdotes are so delicious, and, moreover, are told with such felicitous wit, that it is not easy to be angry with their literary inventor.¹³¹ One of them (given with inimitable seriousness)—that at which General Stanhope, having first pitched his tent within cannon-shot of a besieged fortress, kindly invites his friends to a dinner party—with the results that flow therefrom¹³²—must be read to be appreciated, and alone is sufficient to stamp the author of these lively 'Memoirs' as a man of no ordinary calibre.¹³³ Of course, it is possible that Carleton himself may have

¹²⁸ *Carl.* 9-11.

¹²⁹ *Carl.* 69, 72.

¹³⁰ Among the military terms occur such expressions as 'investiture' (for investment), 'casements' (for casemates), the 'oven' of a mine (for the chamber), and a siege being 'abdicated' (instead of raised).

¹³¹ For the more prominent of these entertaining military stories see *Carl.* 3-4 [a volunteer eaten by hogs]; 9-11 [remarkable vaulting at the battle of Seneffe]; 21 [a man baked in an oven]; 28 [grenade throwing]; 43-44 [a present of wine from the enemy]; 45 [burning a spy]; 76 [pillagers at Barcelona]; 77 [Stanhope's dinner]; 79 [handfuls of dollars]; 106-7 [a pig shot by a gunner]; 107 [mining business]; 107-8 [artillery practice at Cuenca]; 125 [cavalry manoeuvres]; 135 [a colonel in a chaise at the head of his regiment]; 145 [an officer on a donkey in a long scarlet cloak].

¹³² *Carl.* 177.

¹³³ *Military resemblances.*—Among the military anecdotes and allusions in the *Memoirs* are three passages, and one series of expressions, the parallelisms between which and certain portions of Swift's undoubted works are well worthy of notice. (1) In the *Memoirs* [p. 4], we are told of a volunteer present at the sea fight of Solebay, who, being wounded, is carried into the hold, and being accidentally left alone there, some 'hogs' which the sailors had neglected to feed ate him completely up. Now in 'The Seven Lords' [iv. 57], Swift refers to a custom practised by the Grand Seigneur, of flinging his subjects 'to be devoured alive by hogs.' (2) In the *Memoirs* [p. 26], in allusion to the campaign against the Highlanders, we read:—'Their economy, if I may call it such, is much the same with that of the Arabs or Tartars;' and in x. 'The Fragment' [p. 276 (Constable)], in regard to the Irish, we find:—'This noble nation has, of all others, admitted fewer corruptions, and degenerated least from the purity of the old Tartars.' (3) In the *Memoirs* [p. 44] after recounting a cock-and-bull story purporting to show Carleton's valour at Shoerbeck, the writer sarcastically adds: 'every of which particulars the *Ghent Gazetteer* the week after published.' Now in iv. 'Refutation' [p. 153], alluding to a certain false rumour which had been spread far and

been a person of very entertaining disposition, but in dealing with the question of his claim to be considered as the writer of the work, the ironical warlike recitals, the sarcasm on duelling, and the repeated condemnation of the military habit of hard drinking,¹³⁴ evidently tend to place him *hors-de-combat*. On the other hand, on comparing these points with certain passages in the undoubted works of Dr. Jonathan Swift, we find that exactly the same sentiments are there enunciated; ¹³⁵ whilst, throughout a considerable proportion of his writings, a tone of hostility or of ridicule towards the military profession is unmistakably displayed.¹³⁶

The classical hints and Latin scraps (6), by which the whole book is permeated, now demand our attention.¹³⁷ With them the

wide, he says the story 'probably will be returned to us, by the *Dutch Gazetteer* with the judicious comments peculiar to that political author.' Lastly (4), in the *Memoirs* [pp. 12, 19, 21, 22, 31, and 34] there are repeated covert sneers at the military conduct of William III, whether as prince of Orange or as king of England; that relative to his strategy in fighting the battle of Steinkirk in 1692 [p. 31] being especially detailed and severe. But from 1708 onwards Swift's *Works* contain expressions of decided animus against that monarch. See *Works*, viii. 'Sacramental Test' [where Swift deprecates the expulsion of a student from Trin. Coll. for reflecting on the king's memory]; *Works*, ii. 'Journal,' 16 Dec. 1710 [hopes the lads that defaced the king's statue in Dublin were not punished]; xii. 'Parody on Recorder's Speech' [sneer at 'King William the Glorious']; xi. 'Gulliver's Travels' [pp. 110, 298]; ix. 'Mean and Great Figures'; xii. 'The Intelligencer' (Mad Mullinix); ix. 'Polite Conversation' [p. 342]; xii. 'The Legion Club,' and xii. 'Remarks on Burnet's History' [pp. 207, 218, 223, 236, containing five reflections on the king of a very atrocious nature].

¹³⁴ *Carl.* 17, 43, 81, 179.

¹³⁵ *Swift on duelling and drinking*.—As regards duelling, Swift, in alluding to the Irish parliament [*Works*, ii. 'Journal,' 17 Nov. 1711], thus expresses himself: 'I did not think the scoundrels had so much courage; but they have it only in the wrong, like a bully that will fight for a whore, and run away in an army.' On comparing this passage with that in the *Memoirs* relative to the duellist on board ship [*Carl.* 4], it will be seen that the sentiment is remarkably similar. See also *Works*, ix. 'Treatise on Good Manners,' where Swift condemns the practice of duelling, but thinks it beneficial in one way, since it allows 'bullies, sharpers, and rakes to rid the world of each other by a method of their own.' In respect of drinking, Swift's sentiments are equally pronounced. See 'The Project,' viii. 83, 90; 'Ebenezer Elliston,' vi. 300-301; 'Good Manners,' ix. 238; 'The Intelligencer,' viii. (No. 19, Letter 2 Dec. 1728); 'Memoirs of Captain Creighton,' xii. 47 *et seq.* 55, 88 [a soldier who is guarding the hero is kept 'drunk for twelve days and nights together']; and 'Polite Conversation,' ix. 385.

¹³⁶ *Swift's dislike of the military profession*.—For the principal depreciatory allusions to officers and soldiers made by Swift, see *Works*, x. 171, Satirical essays (with the 'Tale of a Tub') on madness; xiv. 'The Salamander'; x. 'The Swan Tripe Club'; viii. 'A Project'; iii. 'The Examiners' [Nos 20 and 23]; ii. 'Journal,' 12 Nov. 1711; iv. 'The Importance of the Guardian'; v. 'Proposal for Use of Irish Clothes'; xiv. 'On Dreams'; xi. 'Gulliver's Travels'; ix. 'The Intelligencer' [No. 9 'Modern Education']; xiii. 'The General Consternation'; xiv. 'The Furniture of a Woman's Mind' and 'Sot's Hole'; xv. 'Hamilton's Bawn' and 'A Birthday Song'; xii. 'Memoirs of Captain Creighton'; xiv. 'The Progress of Marriage'; ix. 'Polite Conversation'; xiv. 'Verses in Heroic Style'; xviii. Letter to Gay, 10 June 1732; xvii. Letter to Wogan, July 1732; ix. 'Hospital for Incurables'; xix. Letter to Sheridan, *n.d.* about July 1736; and xii. 'Remarks on Burnet's History.'

¹³⁷ *Carl.*, *Dedication*, 40, 49, 51, 60, 78, 82, 86, 90, 99, 107, 123, 133, 135, 138, 161-2, 165, 166-7, 185, 201, 214-15, 226, 227, 231.

work begins and terminates, and both these passages are worth quoting. In commencing the dedication to Lord Wilmington, the veteran is made to say :—

It was my fortune, my lord, in my juvenile years, *Musas cum Marte commutare*; and truly I have reason to blush when I consider the small advantage I have reaped from that change.¹³⁸

And at the end is the following pious invocation :—

Tibi laus, tibi honor, tibi sit gloria, O gloriosa Trinitas, quia tu dedisti mihi hanc opportunitatem omnes has res gestas recordandi. Nomen tuum sit benedictum, per sæcula sæculorum. Amen.¹³⁹

But the dedication is not the only part of the work where the truthful old soldier cleverly accounts for his somewhat unmilitary habit of interlarding with Latin phrases a personal account of war-like operations; for in 1705, when on his voyage with Peterborough from Lisbon to Barcelona, he says :

Speaking Latin then pretty fluently, it gave me frequent opportunities of *conversing with the two father-confessors of the Duke of Austria*; and upon that account I found myself honoured with some share in the favour of the Archduke himself. I mention this, not to gratify any vain humour, but as a corroborating circumstance that my opportunities of information, in matters of consequence, could not thereby be supposed to be lessened.¹⁴⁰

All this is very good ‘business,’ and, taken in connexion with the manifold allusions to ancient Roman history throughout the work, not among the least interesting of the witnesses to the authorship of Swift; for with this classical element his undoubted works are everywhere pervaded.¹⁴¹ Nor can I well pass from this

¹³⁸ *Ib.* Dedication.

¹³⁹ *Ib.* 231.

¹⁴⁰ *Ib.* 51. This passage corresponds with several cuts to be found in the writings of Swift against his early benefactor Sir William Temple, who took pride in having effected a treaty in 1665, when all the conversation was conducted in Latin. [Temple’s *Works* (1770), I. xii. 223 *et seq.*]

¹⁴¹ *Classical resemblances.*—The numerous compositions of Swift containing classical references or Latin scraps are to be found in *Works*, iii. iv. v. vi. vii. viii. ix. x. xi. xii. xiv. and xv. besides many letters in xv.–xix. As regards resemblances, among the allusions in the *Memoirs* are expressions lauding Scipio Africanus and blaming Hannibal. [See *Carl.* 133 ‘But Scipio was accused,’ &c., and *Carl.* 86 (account of the ancient Saguntum and Hannibal’s faithlessness) ‘I could not but look upon all these,’ &c.] Both these sentiments occur in Swift’s works. In regard to praise of Scipio, see ‘The Contests,’ iii. 236 [‘The great African Scipio’]; ‘The Examiner,’ No. 40 (*Works*, iii.) [‘His first great action was like Scipio’]; ‘Mean and Great Figures,’ ix. 256 [where under ‘Great Figures’ Scipio the elder is mentioned on two occasions]; and ‘Vindication,’ vii. 296. In respect of censure on Hannibal, see ‘Gulliver’s Travels,’ xi. 239 [a sneer at Hannibal]; ‘Mean and Great Figures,’ ix. 256 and 260 [Hannibal shown as a mean character]; and *Works*, xix. Letter to Sheridan (playing on words), 9 April 1737 [‘You are as faithless as a Carthaginian.']. Among the Latin scraps also in the *Memoirs* there are two identical with those used by Swift in two of his works. Thus in *Carl.* 90 we have :—‘The 4,000 men . . . were the next point to be undertaken;

subject without mentioning the fact that (apart from all other evidence) this ingredient of the 'Memoirs' seems to cut away altogether the possibility of their having been concocted by the 'illiterate' Daniel Defoe.¹⁴²

As regards the religious descriptions (7) with which the epilogue or third portion of the work is filled,¹⁴³ we cannot but feel ourselves immediately in contact with a clerical writer; whilst their occasional profanity points strongly to the divine who penned the 'Fragment' and the 'Day of Judgment,'¹⁴⁴ and became the intimate associate of the agnostic Bolingbroke and Peterborough.¹⁴⁵ In the prologue and drama the writer must have been somewhat hampered by the unecclesiastical nature of his work, but in the epilogue he has certainly had *carte blanche*. Evidently his motto was 'business first and pleasure afterwards,' so, having done his duty by his figure-head

but *hic labor hoc opus*.' Now as a heading to his satirical 'Introduction' to the *Tale of a Tub* Swift quotes:—

... '*evadere ad auras,*
Hoc opus, hic labor est.'

And again, in *Carl.* 106–7, we are told that Carleton begins to mine under the castle of Requena 'more *in terrorem* than with any expectation of success'; and in 'The Public Spirit of the Whigs,' iv. 252, Swift says, 'This question of Mr. Steel's was therefore put *in terrorem* without any regard to truth.'

¹⁴² The absence of connexion between Defoe and the 'Carleton Memoirs.'—Here it may be convenient to summarise the principal evidence tending to show that the *Carleton Memoirs* could not have been written by Defoe.

1. The abounding classical tone of the *Memoirs*.

2. The very plain, downright style, and the notable absence of wit or satire, which characterise the whole of Defoe's fictions.

3. His sturdy, manly, personal honesty. [It is to be feared that uninformed persons are sometimes apt too hastily to imagine that because Defoe served various ministries he was a perfidious trickster who 'betrayed his party.' But as a matter of fact he was never a party man, and his politics were entirely his own. Like Godolphin, his integrity was so great that every government was glad to employ him.]

4. His earnest views of religion, on which subject he could never have written with the profanity displayed in the *Memoirs*.

5. His admiration of military men in general and of Marlborough in particular.

6. The total absence of any known connexion, either between Defoe and Peterborough, or between Defoe and any one of the persons libelled in the *Memoirs*.

¹⁴³ In addition to these special scenes, clerical terms and expressions abound throughout the work.

¹⁴⁴ *Works*, x. and xiv. Of the first of these pieces the real title is quite unmentionable.

¹⁴⁵ The following list gives the principal clerical and religious allusions, specifying those that are profane and indecent. *Carl.* 5, 7, 25, 34, 37 (nuns), 47, 50, 51, 80, 87, 89, 91, 99, 108, 111, 112 (nuns), 113, 116 (nuns, indecent), 118, 119, 120, 121–2, 123, 127, 133, 136 (indecent), 138, 143–151, 154, 158, 159 (profane), 160 (nuns), 161–2 (nuns), 163 (nuns, very indecent), 165 (profane), 166–7, 169, 178, 179, 180, 182, 184, 186–192 (indecent), 193, 194–5, 200, 201, 202, 203, 204, 205, 207–8, 209, 212, 213, 214–15 (profane), 220, 224, 225, 226, 231 (concluding invocation, profane). Between the passages relating to nuns and nunneries, and others by Swift relating to the same subject, in ix. 'Tatler,' No. v. (N.S.) and viii. 'Advantages' [p. 416], and especially between *Carl.* 163, and the latter (each referring to soldiers and prostitutes at the capture of a town), there is considerable analogy.

and patron respectively, he could proceed to disport himself in the fields of theological sarcasm. And what subject could afford better scope than the religious habits of the reverent but superstitious Spaniards? As usual, most of the stories are related in the writer's happiest vein of polished mockery, and one about Bruno and the Carthusian monks is, I think, in its way a perfect gem.¹⁴⁶ But, unfortunately, the element of impiety sometimes takes the form of indecency; and in this aspect, too clearly for the sympathy of most people, betrays a writer of the stamp of the dean of St. Patrick's. However, as a satire against the Roman catholic church an intellectual protestant bigot could hardly wish for a work more replete with cultured ridicule.

The piece of evidence, however, which more than all the rest tends, I think, to prove that the 'Memoirs' are not the work of Carleton or of a veteran officer of any kind, is the series of plagiarisms from older works with which the book is filled, most of them furnishing additional manifestations of Swift's agency. The principal books from which passages are thus transcribed or recast are the second part of Temple's 'Memoirs,' first published in 1692 (and again in 1700); the second part of the same author's 'Miscellanea,' first issued in 1692; 'the Ingenious and Diverting Letters' of Countess D'Aulnoy, which appeared the same year (the seventh edition translated into English being published in 1708); and Dr. John Freind's 'Account of the earl of Peterborough's conduct in Spain,' produced in 1707, and admittedly written wholly from the papers given to him by that peer. Those from Temple's 'Memoirs' occur in the prologue, and very materially assist Carleton's adventures in Holland; the 'Miscellanea' and D'Aulnoy's 'Letters' (especially the latter) are utilised for the epilogue; whilst Freind's *dicta* (the most numerous of all) form no small portion of the central drama. Of these plagiarisms, large and small, I have as yet excerpted about fifty specimens, but I think that a closer collation would probably result in further discoveries; for it seems possible that in certain places whole pages, paragraphs, and descriptions, after having been thrown into the Swiftian crucible, have been reproduced so ingeniously as almost to defy written exposure. As illustrating some of the more palpable annexations the following extracts are good samples:—

TEMPLE'S 'MEMOIRS.'¹⁴⁷

Temple.

Carleton.

(1). If the Prince of Condé had contented himself with this success and execution, he had left no dispute of a victory, but lured on by the hopes of one more entire . . .

Had the Prince of Condé contented himself with this share of good fortune his victory had been uncontested; but being pushed forward . . . and flushed with this

¹⁴⁶ *Carl.* 214–15.

¹⁴⁷ Edition of 1700.

he followed the chace, and, drawing out his whole army upon them, brought it to a set battle.¹⁴⁸

(2). The Prince exposing himself upon all occasions received a musket shot in his arm; at which, perceiving those about him were daunted, he immediately pulled off his hat with the arm that was hurt and waved it about his head, to show the wound was but in the flesh and the bone safe.¹⁵⁰

(3). After a sharp dispute the first regiment of the Dutch infantry began to break and fall into disorder; the Prince . . rallied them several times . . but at last was borne down by the plain flight of his men, whom he was forced to resist like enemies . . and cutting the first across the face, cried out aloud, *Coquin je te marquerai au moins à fin de te faire pendre.*¹⁵²

TEMPLE'S 'MISCELLANEA.'

Temple.

(4). An ingenious Spaniard at Brussels would needs have it that the 'History of Don Quixot' had ruined the Spanish monarchy; for *before that time* Love and Valour were all Romance among them; every young *Cavalier* that entered the scene dedicated the services of his Life to his Honour first and then to his *Mistress*. They lived and died in this Romantic vein. . . *After Don Quixot appeared*, and with that inimitable Wit and Humour *turned all this Romantic Honour and Love into Ridicule*,

extraordinary success, he resolved to force the whole confederate army to a battle.¹⁴⁹

I remember the Prince of Orange during the siege received a shot through his arm; which giving an immediate alarm to the troops under his command, he took his hat off his head with the wounded arm, and smiling waved it to show there was no danger.¹⁵¹

I remember the Dutch troops did not all alike do their duty; and the Prince seeing one of the officers on his fullest speed, called him over and over to halt; which the officer in too much haste to obey, the Prince gave him a slash over the face, saying, 'By this mark I shall know you another time.'¹⁵³

Carleton.

Another day, talking of the place, it naturally led us into a discourse of the knight of La Mancha, Don Quixotte. At which time he told me that in his opinion that work was a perfect paradox . . for, continued he, *before the appearance in the world of that labour of Cervantes*, it was next to an impossibility for a man to walk the streets with any delight, or without danger. There were so many *Cavalieros* prancing and curvetting before the windows of their *Mistresses*. . . But *after the world*

¹⁴⁸ Temple, ii. 273-4.

¹⁴⁹ Carl. 9.

¹⁵⁰ Temple, ii. 359.

¹⁵¹ Carl. 20.

¹⁵² Temple, ii. 399. In addition, compare also the following passages: T. 265-6, 'When I sent my secretary,' and C. 7, 'Arriving at which place'; T. 269, 'But all was silenced by the relations,' and C. 8, 'We were soon after informed'; T. 277-8, 'The Prince of Orange . . . sat down before Oudenarde,' and C. 12, 'We marched directly to Oudenarde.'

¹⁵³ Carl. 20.

the Spaniards he said began to grow ashamed of both, and to laugh at *Fighting and Loving*.¹⁵⁴

*became a little acquainted with that notable history the man that was seen in that once celebrated drapery was pointed at as a Don Quixotte, and found himself the jest of high and low. And I verily believe, added he, that to this, and this only, we owe that dampness and poverty of spirit which has run through all our councils for a century past, so little agreeable to those nobler actions of our famous ancestors.*¹⁵⁵

D'AULNOY'S 'LETTERS.'¹⁵⁶

D'Aulnoy.

Carleton.

(5). [The first 52 pages of the 'Letters' are occupied with a description of the Countess's journey from *France into Spain* through Bayonne, St. Jean de Luz, Fonterrabia (*with an allusion to the Isle of Conference and the marriage there of Louis XIV and the Infanta Maria Theresa*), San Sebastian, Bilboa, Victoria and Burgos, *all in the order named*.]

[Nearly the last 16 pages of the 'Memoirs' are occupied with a similar description of the Captain's journey from *Spain into France*, through Burgos, Victoria, Bilboa, San Sebastian, Fonterrabia (*with an allusion to the Isle of Conference and the marriage there of Louis XIV and the Infanta Maria Theresa*), St. Jean de Luz and Bayonne, *all in the order named, which is the exact converse of that in the 'Letters.'*]¹⁵⁷

(6). [The long description of the Convent at Montserrat in 'Carleton' is evidently an amplified rendering of the account of it in 'D'Aulnoy'; and there are several striking parallelisms of sentiment and expression, too long and involved, however, to be easily extracted.]¹⁵⁸

(7). [In an incidental allusion to Saragossa (which is not on her route) the Countess says:—] We have another famous place of devotion . . . and that is *Nuestra Senora del Pilar*: it is at Saragossa . . . and the Pilgrims come here in great shoals . . . 'tis one of the finest towns you shall see; *it is situated along the Ebre* . . . is adorned with . . . rich churches.¹⁵⁹

[In a similar incidental allusion to Saragossa (which is also not on his route) Carleton says:—] Saragossa . . . *lies upon the river Ebro* . . . it is a very ancient city and contains . . . great churches . . . The Church of the Lady of the Pillar is frequented by Pilgrims almost from all countries.¹⁶⁰

(8). [The detailed description in 'Carleton' of the Spanish customs during Lent and Passion week, with its picture of devotees of quality

¹⁵⁴ Edition 1720, i. 169.

¹⁵⁷ *Carl.* 211-226.

¹⁵⁹ *D'Aul.* 38.

¹⁵⁵ *Carl.* 160.

¹⁵⁸ *D'Aulnoy*, 37. *Carl.* 142-151.

¹⁶⁰ *Carl.* 231.

¹⁵⁶ Translated edition of 1708.

presenting themselves all bloody and 'macerated' before the windows of their mistresses, is clearly a recasting of the similar account and language in 'D'Aulnoy.'¹⁶¹

PETERBOROUGH'S ACCOUNT. [WRITTEN BY FREIND.]

A. *The Capture of Montjuic by Prince George.*

Peterborough [Freind.]

Carleton.

(9). The injudicious or rather impossible proposals made by the Prince of Hesse and insisted on by him to the last were the occasion of those unanimous Councils of War against an enterprise which promised such certain ruin.¹⁶²

Our own officers . . . were reproached because not disposed to . . . engage themselves in impossibilities. And indeed in the manner that the siege was proposed and insisted upon by the Prince of Hesse in every of the Councils of War . . . it could have ended in nothing but a retreat.¹⁶³

(10). The freedoms taken by that Prince had prevented any correspondence for some time between him and the Earl of Peterborow.¹⁶⁴

The Prince of Hesse had taken large liberties in complaining. . . These reproaches had bred so much ill blood that for above a fortnight they had no correspondence.¹⁶⁵

B. *The Conquest of Valencia by General Ramos.*

(11). St. Mattheo was a place of great importance by its situation, in regard that all communication between Catalonia and Valencia must have been interrupted had it fallen into the enemies' hands, and all our hopes and expectations in that Kingdom must have vanished.¹⁶⁶

Santo Mattheo was a place of known importance; and that from its situation, which cut off all communication between Catalonia and Valencia; and consequently, should it fall into the hands of the enemy, the Earl's design upon the latter must inevitably have been postponed.¹⁶⁷

(12). Neither did the Earl of Peterborow endeavour to persuade

The Earl was very conscious . . . his officers would not approve

¹⁶¹ D'Aul. 154-156. Carl. 121-123. In addition, compare the following similar passages or allusions: D. 39-43, and C. 167 [about Don John of Austria]; D. 59-60, and C. 161-2 [nun's life and habits]; D. 91, and C. 201 [Grandeess]; D. 123-151, and C. 199-206 [Madrid and its churches]; D. 123, and C. 159 ['Don Pacheco' and 'Don Pacheco']; D. 151, and C. 202 [St. Isidore's chapel]; D. 178-188, and C. 172-177 [bull fights]; D. 239, and C. 197-8 [Waterworks at Aranjuez (*strikingly similar rhetorical verbiage in each*)]; D. 242-246, and C. 166-7, 184-6 [Inquisition]; D. 273-6, and C. 211-12 [Escorial]. Lest it should be deemed an excusable fact that a veteran should have touched up *bonâ fide* warlike reminiscences with lively scenes from the countess's letters, I would here beg to point out that he describes these latter passages (equally with the former) in the *first* person and professes to have personally witnessed them in the manner related.

¹⁶² Freind, 34.

¹⁶³ Carl. 59.

¹⁶⁴ Freind, 34.

¹⁶⁵ Carl. 59.

¹⁶⁶ Freind, 201-2.

¹⁶⁷ Carl. 82-3.

the officers that it was reasonable to approach such numbers with so inconsiderable a force . . . upon which he desired his officers to be content to let him try his fortune.¹⁶⁸

(13). Nules was . . . fortified with the most regular towers, with the best walls, and in the best repair.¹⁷⁰

(14). The gates were immediately opened; and here the Earl of Peterborow began to form that cavalry which secured the kingdom of Valencia . . . taking near 200 horse in this place.¹⁷²

(15). His lordship made a short turn and came to Castillon de la Plana.¹⁷⁴

(16). He left them [the dragoons] in quarters in little towns and where they could not be insulted by the enemy without cannon.¹⁷⁶

(17). When his lordship came to Vinaros he found that the Spanish troops had made a day's march into Valencia and that some of the Militia of . . . Valencia were likewise come to their rendezvous. With these troops thus assembled the Earl of Peterborow immediately marched with a design to relieve Valencia.¹⁷⁸

(18). Molviedro . . . where besides numerous inhabitants . . . there was . . . 800 men, near half of them being Mahoni's Regiment of Irish Dragoons.¹⁸⁰

(19). The Duke of Arcos . . . sent Brigadier Mahoni with a de-

of the attempt upon the foot of such vast inequalities. . . . He therefore . . . told them he only desired they would be passive, and leave it to him to work his own way.¹⁶⁹

Nules, a town fortified with the best walls, regular towers, and in the best repair.¹⁷¹

In a very short time after, the gates were thrown open. Upon the Earl's entrance he found 200 horses which were the original of his lordship's forming that body of horse which afterwards proved the saving of Valencia.¹⁷³

He made a short turn towards Castillon de la Plana.¹⁷⁵

Leaving them [the dragoons] cantoned in walled towns, where they could not be disturbed without artillery.¹⁷⁷

At Vinaros the Earl met with advice that the Spanish Militia of the Kingdom of Valencia were assembled, and had already advanced a day's march at least into that country. Upon which, collecting as fast as he could the whole corps together, the Earl resolved to penetrate into Valencia directly.¹⁷⁹

Molviedro . . . very populous of itself . . . had in it, besides, a garrison of 800 men, most of them Mahoni's Dragoons.¹⁸¹

But there was a strong pass over a river, just under the walls of

¹⁶⁸ *Freind*, 206-7.

¹⁷² *Freind*, 239.

¹⁷⁶ *Freind*, 243.

¹⁸⁰ *Freind*, 254.

¹⁶⁹ *Carl*. 82-3.

¹⁷³ *Carl*. 85.

¹⁷⁷ *Carl*. 86.

¹⁸¹ *Carl*. 86.

¹⁷⁰ *Freind*, 237.

¹⁷⁴ *Freind*, 239.

¹⁷⁸ *Freind*, 244.

¹⁷¹ *Carl*. 84.

¹⁷⁵ *Carl*. 85.

¹⁷⁹ *Carl*. 86.

tachment of horse to secure the strongest pass in the country over a river which was just under the walls of Molviedro.¹⁸²

Molviedro This, Brigadier Mahoni, by the orders of the Duke of Arcos, had taken care to secure.¹⁸³

(20). The Earl of Peterborow gave the officers hopes that what he could not do by force he did not fear but to compass by art.¹⁸⁴

The Earl nevertheless . . . gave them hope that what strength served not to accomplish art might possibly obtain.¹⁸⁵

(21). And my Lord had advice of sixteen 24-pounders being shipped at Alicant . . . for the siege. . . . The Earl of Peterborow found the happy methods to disappoint the enemy in intercepting the 16 battering pieces . . . with all warlike stores in proportion.¹⁸⁶

And . . . his intelligence telling him that sixteen 24-pounders with stores and ammunition answerable for a siege were shipped off . . . at Alicant, the Earl forthwith lays a design, and with his usual success intercepts them all.¹⁸⁷

C. *The Relief of Barcelona by Sir John Leake.*

(22). The very works thrown up by the French would have destroyed the Earl of Peterborow's army in labour and fatigue alone.¹⁸⁸

His [the French general's] army fortified themselves with such intrenchments as would have ruined the Earl's . . . army to have raised.¹⁸⁹

(23). They [the French] . . . continued 23 days battering the fort with 50 pieces of cannon and lost 3,000 of their best men in taking that citadel which the Earl of Peterborow secured with little loss in less than an hour.¹⁹⁰

The garrison [the English] made shift to hold out a battery of 23 days with no less than 50 pieces of cannon; when after a loss of the enemy of upwards of 3,000 men . . . they were forced to surrender . . . a place which the English general [Peterborow] took in little more than an hour.¹⁹¹

(24). He maintained his post upon the hills for near a fortnight with about 2,500 men never above a league or two from the enemy, which he kept in perpetual alarms.¹⁹²

With . . . very little more than 2,000 foot and 600 horse . . . he took care to post himself . . . in the mountains . . . where he . . . found himself in a capacity of putting them under perpetual alarms.¹⁹³

¹⁸² *Freind*, 254.

¹⁸³ *Carl*. 86.

¹⁸⁴ *Freind*, 255.

¹⁸⁵ *Carl*. 87.

¹⁸⁶ *Freind*, 273.

¹⁸⁷ *Carl*. 90.

¹⁸⁸ *Freind*, 41.

¹⁸⁹ *Carl*. 92.

¹⁹⁰ *Freind*, 41.

¹⁹¹ *Carl*. 92.

¹⁹² *Freind*, 55.

¹⁹³ *Carl*. 91.

D. The Occupation of Madrid by Lord Galway.

(25). His lordship lost . . . all his equipage . . . to the value of £8,000 . . . but knowing as well the plenty of corn there was in this country as the extreme want of it in the Confederate [Lord Galway's] army . . . obliged the magistrates of that district to lay in . . . magazines of corn. . . . In so generous a manner did his lordship provide for an army . . . under the command of another and sure he won't be thought the worse General for . . . taking so much care of the public interest and so little of his own.¹⁹⁴

The magistrates . . . sensible . . . the loss which the Earl had sustained amounted to . . . 8,000 Pistoles . . . offered full satisfaction. The Earl . . . generously made answer . . . if they would send to that value in corn to the Lord Galway's camp he would be satisfied. . . . I am apt to think that the last century . . . can hardly produce a parallel instance of generosity and true public spiritedness.

I submit that these plagiarisms speak for themselves, and render impossible the idea that the 'Memoirs' are what they profess to be, i.e. the *bonâ fide* reminiscences of a military veteran. Of course, the portions appropriated being all taken from printed books, it would have been open to any one to have made them; still to no one would the idea have come more easily and naturally than to Swift. For about the year 1692, when secretary to Temple, he had copied fair for the press the manuscripts of that statesman's 'Memoirs' and 'Miscellanea' respectively, whilst in 1700, as his literary executor, he had published a new edition of the former, besides two volumes of 'Letters.'¹⁹⁵ Again, as regards D'Aulnoy's work, it will be found that in the Spanish literature, customs and religious institutions, Swift throughout his career took an exceptional interest. It will be remembered that Temple, having been for many years envoy at the Spanish viceregal court at Brussels, was himself

¹⁹⁴ *Freind*, 151. *Carl*. 110. In addition to these instances compare the following parallel passages. F. 32, 'His lordship saw,' and C. 60, 'Yet all these difficulties'; F. 32, 'That brave prince,' and C. 60, 'On the other side the Earl of P.'; F. 34, 'In truth the Earl of P.,' and C. 64, 'It will easily gain credit'; F. 35, 'The excuse the E. of P.,' and C. 62, 3, 4, 'Forced as he was' to 'most desperate undertaking'; F. 35, 'Had not his lordship,' and C. 69-70, slander on Lord Charlemont by name, ending with 'have been entirely blasted'; F. 272, 'After the entry into Valencia,' and C. 90, 'Though the citizens'; F. 274, 'The other attempt was equally requisite,' and C. 90, 'The 4,000 men ready to reinforce the troops'; F. 38, 'If they had made an attack,' and C. 93, storming of breach deferred 'through fear of the Earl's falling on the back of them'; F. 55, 'He maintained his post,' and C. 91, 'He sets out for Barcelona'; F. 56, 'The Earl of P. had visited,' and C. 99-103, 'I have often wondered'; F. 59, 'Accordingly it was twice,' and C. 103, 'The main article then agreed upon'; F. 122, 'To recover the effect,' and C. 109, 'Even in this fatal place'; F. 123, 'His lordship . . . resolved immediately,' and C. 109, 'The retreat being at last resolved upon.'

¹⁹⁵ Boyer's *Temple* [1715], 381. Courtenay's *Temple*, ii. 244 [Swift to Lady Giffard, Nov. 10, 1709]. Swift's *Works*, ix. [Prefaces to Temple's works].

an adept in the language; and in order to prepare his 'Letters' for the press it was necessary that his secretary Swift should also make himself cognisant with that tongue. Now in the preface to the first portion of these 'Letters' he expressly alludes to his having done so.

'I have made,' he says, 'some literal amendments, especially in the Latin, French and Spanish. . . . Whatever fault there may be in the translation, I doubt I must answer for the greater part . . . I speak only of the French and Latin, for the few Spanish translations I believe need no apology.'

That the knowledge of Spanish writings and manners, which in his youth he gained with Temple, was afterwards carefully fostered is clearly evinced by passages throughout his works and letters, and particularly by the Spanish books found in his library after his death.¹⁹⁶

¹⁹⁶ *Swift's references to Spanish matters.*—The following are the chief allusions. *Works*, vol. xiv., 'Ode to Temple' ['like Spaniards to be proud and poor']; ix. preface to 'Temple's Letters,' pts. 1 and 2 [Swift mentions his knowledge of Spanish]; ix. 'Thoughts' ['as Don Quixote usually did']; viii. 'Argument' [praise of convents]; ix. 'Tatler' v. (N.S.) [about nunneries]; iii. 'Examiner,' No. 32 ['the gravity of a Spaniard']; xii. 'Answers to Letters' ['a little Spanish prose']; xii. 'Horace' ii. Ode 1 ['inquisitions taught by Spain']; viii. 'Drapier's Letters,' No. 6 [Don Quixote]; ix. 'Intelligencer,' No. 3 [Cervantes]; xv. 'Robin and Harry' ['the Spaniard']; xii. 'Answer of Pulteney' ['a Spanish inquisitor']; ix. 'Polite Conversation' ['as they do in Spain']; xvi. Letters to Pope, 30 Aug. 1716 ['Spanish divine']; to bishop of Meath, 5 July 1721 ['the long, sedate resentment of a Spaniard']; to Sheridan, 11 Sept. 1725 ['as Don Quixote said to Sancho']; xvii. Letters to Pope, 6 March 1728-9 ['as Sancho's wife said']; to Gay, 10 Sept. 1731, ['you remember, "O happy Don Quixote!"']; to Winder, 19 Feb. 1731-2 ['as mere a monk as any in Spain']; to Wogan in Spain, July 1732 [alluding to a packet Wogan had sent him:—'I did not so much as untie the strings of the bag for five days after received it, concluding it must come from some Irish friar in Spain, filled with monastic speculations, of which I have seen some in my life']. It may also be noted that among the books in Swift's library, sold in 1745 after his death, were: *Satyre Menippée de la Vertu du Catholicon d'Espagne* (1621); *Aleman's Life of Guzman De Alfarache, the Spanish Rogue* (Oxford, 1630); *The Book of Common Prayer in the Spanish Tongue* (London, 1707); and *Don Quixote's History* (London 1780), translated by Stevens [Forster Coll. at South Kensington. Catalogue of Swift's Library, 1745]. As regards Swift's evident interest in *Don Quixote*, it is to be observed that in the *Carleton Memoirs* there are as many as six separate references to that knight-errant, one of them (already quoted) of some length [see *Carleton*, pp. 159, 160, 180, 184, 191 and 197]. Moreover, the writer quarters Carleton for the greater portion of his residence as a prisoner in Spain at the town of San Clemente de La Mancha, and apparently for no other object than in order to work in these Don Quixote allusions. In this connexion it may be remarked as a rather singular fact that, according to the *Memoirs*, Carleton, during his four years' confinement, was kept completely apart from all the other English officers taken prisoners in Spain, of whom in 1711 there were no fewer than 337 [Pub. Rec. Gt. Brit., State Pap. Dom. Anne, Bundle 27, No. 80]. It may also be mentioned that among the Spanish customs specially described in the *Memoirs* is their method of execution [*Carl* p. 184]; whilst the interest taken by Swift in this subject is manifested by his pieces 'Clever Tom Clinch' [*Works*, xiv.]; 'Wood's Execution' [vii.]; 'Ebenezer Elliston' [vi.]; a trifle called 'On the Gallows' [xv. Riddles (Verse)], and the execution scene in 'Gulliver's Travels' [xi. 146]. Lastly,

From 1710 to 1714, and probably much earlier, Swift had been an intimate literary and political associate of Dr. Freind. Now between the 'Account' of that writer, avowedly furnished by Peterborough, and the 'Memoirs of Captain Carleton,' independently of the plagiarisms just pointed out, there is a perfect correspondence, the one being in fact the complement of the other. In each work the story of Peterborough's heroic exploits is divided into four portions, the assault of Montjuic, the operations in Valencia, the relief of Barcelona, and the capture of Madrid, concerning all of which operations the Carleton writer has plagiarised from Freind. But in Freind's 'Account' the main object of Peterborough had reference to the last-mentioned event, and was intended to justify his conduct in not supporting Galway after that general had driven Philip V from Madrid; and next to that his aim was to advertise his own audacious 'conquest' of Valencia, which, however, unfortunately for his glory, occurred just after the complete reduction of the whole province by the Austro-Spanish general Ramos to the obedience of Charles III.¹⁹⁷ His brilliant relief of Barcelona as land admiral of the fleet led by the gallant Sir John Leake (whom in reality he did his utmost to prevent from coming to Barcelona at all) is of course also described by Freind, and in some detail. But although strongly hinting that it was quite a mistake to credit Prince George of Hesse Darmstadt with the capture of Montjuic, as most people did, and that the real author of that achievement was himself, he does not in the 'Account' furnish any particulars of his precise share in this gallant feat of arms. Could it have been because such awkward witnesses as Lord Charlemont, Colonel Southwell, and Colonel Rieutort (who had been the prince's chief supporters)¹⁹⁸ besides many other officers in whose minds the truth of the affair was still fresh, were yet alive? However this may have been, it is certain that in the 'Account' Peterborough displayed a degree of reticence on the matter which for him was somewhat unusual; but twenty-one years afterwards, when the actual fighters were dead, he certainly had his innings, and (as already stated) it will be found that

in the *Historical Review* for January 1889 it has been pointed out by Mr. Arthur Ropes that a passage in *Carleton* relating to Pampeluna and Ignatius Loyola is clearly Swiftian.

¹⁹⁷ Parnell, pp. 140-148.

¹⁹⁸ At the assault of Montjuic, under the immediate orders of the prince (Peterborough being by his own wish far away in the rear and completely out of the fight), Colonel Southwell commanded the grenadiers, and Lord Charlemont the supports; whilst Colonel Rieutort, the prince's aide de-camp, was the officer who afterwards brought the news of his fall to Peterborough. Although Prince George thus personally led the troops to the assault, he was commander-in-chief of the whole expedition, besides being minister of war to King Charles; and it was whilst thus showing the English general how to conduct English soldiers against the enemy that the German prince was killed; whereupon the commander whose duty he had performed immediately posed as the hero of the whole affair [Parnell, pp. 126-133, 187].

his version of this affair constitutes the *pièce de résistance* of those veracious 'Memoirs' which he then gave to the world. Next in copiousness came the Barcelona relief affair, as to which, inasmuch as that inconvenient Sir John Leake was also dead, there was likewise increased scope for freedom. In regard to the Valencia campaign, so far as can be seen, the whole account in 'Carleton' (though all in the first person) is simply condensed from the much more detailed one in 'Freind,' whilst the allusions in the former to the Madrid operations are even more scanty in proportion, and chiefly consist in abuse of the deceased Lord Galway. Thus the two inspired narratives fit each other to a nicety, and each supplies what the other lacks. But lest there should be any doubt about the supposition, that from the first it was Peterborough's intention to provide in due time a sequel or complement to the 'Account,' Freind concludes that book with these remarkable words:—

The bounds I have set to myself in these short memoirs won't let me follow His Lordship further in the glorious progress of his arms; 'tis a scene indeed of such a fruitful and agreeable variety as would afford great pleasure to me and no less entertainment to the Reader. Nor could I deny myself the satisfaction of dwelling longer on so inviting a subject *had I not reason to expect that some abler pen will deliver down to posterity a history of revolutions so extraordinary and so much for the honour of the English nation.*¹⁹⁹

Now if this 'abler pen' was not Jonathan Swift, I think my readers will find it extremely difficult to fit the cap of the 'Carleton Memoirs' on the head of any other possible writer of the period; and if it should be permissible to use a very apposite simile employed by Lord Orrery, in reference to the dean's association with another curious work attributed to him, I, for one, would certainly feel prepared to contend 'Aut Erasmi sunt, aut Diaboli.'

Let us now compare the 'Memoirs of Captain George Carleton' with two undoubted compositions of Swift, in some respects of a very similar nature; one of which was written just previous to the appearance of the book we are considering, and the other almost equally soon after that event. I allude to the 'Travels of Captain Lemuel Gulliver,'²⁰⁰ and the 'Memoirs of Captain John Creighton.' It is almost impossible to read consecutively the former of these two productions and the Carleton narrative without being struck by the extraordinary similarity in their styles of diction. In both cases there is the same easy placid stream of plain witty English, with an undercurrent of satire, generally so delicate that its presence is felt rather than seen, and yet at times displayed by

¹⁹⁹ Freind's *Account*, p. 279. In Mary Manley's *New Atalantis* this writer and his *Account* of Peterborough are highly praised. [*New Atalantis*, iii. 238; iv. 189, 206, 249–253.]

²⁰⁰ *Works*, vol. xi,

unmistakable ripples on the surface. In each work, apparently in a very effortless, commonplace manner, the writer relates reminiscences of the most startling nature, and all in a sort of humble, apologetic tone, as who should say: 'Of course, all this is very trivial, but at all events it has the merit of simple, unaffected truth.' I propose now to indicate what seem to be the more noteworthy points of resemblance in the structure, style, and language of these two autobiographies. As in 'Gulliver,' so also in 'Carleton,' at the beginning of the account there is an address 'To the Reader' written in the third person, and professedly by the bookseller or publisher, concerning the individual forming the subject of the work, who in each case is styled 'the author.' In Lemuel's address we are told that 'his family came from *Oxfordshire*;' and (as we have seen) that is also the county in which our George first drew breath. As regards the 'Travels,' 'the style' we are assured 'is *very plain and simple* . . . there is an air of truth apparent throughout the whole.' But this is also the very thing which for our comfort is asserted in the dedication of the 'Memoirs.' 'They are not,' says the veteran, 'set forth by any fictitious stories, nor embellished with rhetorical flourishes; *plain truth* is certainly most becoming the character of an old soldier.' In the 'Voyage to Lilliput,' the writer says that 'the *disbelief of a Divine Providence* renders a man incapable of holding any public station;' ²⁰¹ and in the 'Memoirs' we read:—'Though I am no stiff adherer to the doctrine of predestination, yet to the *full assurance of a Providence* I never could fail to adhere;' ²⁰² and again: 'I had not been there long before an accident happened, as little to be accounted for without a *Divine Providence*, as some would make that Providence to be that only can account for it.' ²⁰³ In the same voyage, Swift says: '*After common salutations* were over, observing his lordship's countenance' &c. &c.; ²⁰⁴ and in the 'Memoirs' we find: 'I found, in company with him, three gentlemen, and *after common salutations* his lordship delivered into my hands,' &c. &c. ²⁰⁵ Again, in 'Lilliput' there is the following passage: '*Of so little weight are the greatest services to princes when put into the balance with a refusal to gratify their passions*;' ²⁰⁶ whilst in 'Carleton,' we have: 'Many years afterwards (to one in office), . . . I urged *this piece of service* . . . but that minister . . . returned, that in his opinion the service pretended was a disservice to the nation . . . *so irregular*

²⁰¹ *Works*, xi. 75. Besides this passage in 'Gulliver,' there are to be found in Swift's writings four others of a similar nature, viz. *Works*, ix. 'Thoughts' ['Providence']; viii. 'Sentiments' ['ought to believe a God and His Providence']; viii. 'Project' ['If they believe a God and His Providence']; xv. Letter to Oxford, 21 Nov. 1713 ['the dispensations of Providence'].

²⁰² *Carl.* 25.

²⁰¹ *Carl.* 66.

²⁰⁴ *Works*, xi. 86

²⁰⁵ *Carl.* 80.

²⁰⁶ *Works*, xi. 67.

are the conceptions of man when even great actions thwart the bent of an interested will.' ²⁰⁷

In the 'Voyage to Brobdingnag,' it has been discovered by Mr. E. H. Knowles that the whole description of the storm in the preamble is transcribed by Swift *verbatim* from Sturmy's 'Compleat Mariner,' published in 1699. ²⁰⁸ This conclusively shows that Swift was by no means above employing the art of the plagiarist, and renders it the less unlikely that the passages in the 'Memoirs' appropriated from Temple, D'Aulnoy, and Freind were extracted by the same hand. ²⁰⁹ In this 'Voyage' there is also a remarkable parody of that episode related by Temple concerning the conduct of King William in battle, in taking off his hat with his wounded arm, which I have already quoted, and have shown to be recast in the 'Memoirs.'

As I walked on the table, says Gulliver, I happened to stumble against a crust and fell flat on my face, but received no hurt. I got up immediately, and, observing the good people to be in much concern, I took my hat . . . and waving it over my head, made three huzzas, to shew I had got no mischief by my fall. ²¹⁰

In 'Brobdingnag,' again, we have *a number of eagles flying in company* (a curious fact in natural history); ²¹¹ and in 'Carleton,' also, there is an anecdote of '*a surprising flock of eagles*.' ²¹² which is seen flying overhead at La Mancha. In this voyage, and in that to the Houyhnhms, in commencing an account of any business, Gulliver repeatedly uses the expression 'I remember,' ²¹³ and in the 'Memoirs' (especially when retailing facts extracted from other books) this is also Carleton's favourite phrase. ²¹⁴ In the following passage, Swift sneers at the political distinctions of whig and tory: ²¹⁵

I confess, says he, that after I had been a little too copious in talking [to the king] of my own beloved country . . . of our schisms in religion and *parties in the state* . . . he could not forbear taking me up in his

²⁰⁷ *Carl.* 72.

²⁰⁸ See the parallel readings in Brit. Mus. Lib. As regards storms, it is to be noted that in each of his five principal voyages Gulliver is encountered by a tempest. See Lilliput, p. 25 ['Violent storm']; 'Brobdingnag,' p. 102 ['a very fierce storm']; Laputa, p. 187 ['a great storm']; 'Lugnagg,' p. 248 ['one violent storm']; 'Houyhnhms,' p. 269 ['a storm']. Similarly in the *Memoirs*, pp. 226-228, at the conclusion of his adventures Carleton is nearly shipwrecked by a terrific storm in the Bay of Biscay. [Its approach is heralded by a 'prodigious fish' about 'twenty yards in length'—clearly the famous sea-serpent.]

²⁰⁹ If the history of the authorship of the *Tale of a Tub* should see the light, the actual theft therein committed by Swift will be found completely to overshadow this plagiarism from Sturmy, barefaced though it be.

²¹⁰ See No. 2 of the plagiarisms, and *Works*, xi. 110.

²¹¹ *Works*, xi. 178.

²¹² *Carl.* 164.

²¹³ *Works*, xi. 112, 134, 141, 165, 291.

²¹⁴ *Carl.* 39, 40, 42, 46, 63, 64, 102, 155. See also plagiarisms 2 and 3.

²¹⁵ *Works*, xi. 130.

right hand and stroking me gently with the other, after a hearty fit of laughing, asked me *whether I was a Whig or Tory*.²¹⁶

Now in his dedication Carleton says: 'Give me leave my lord to congratulate this good fortune that *neither Whig nor Tory* (in this complaining age) have found fault with your conduct;' and at the close of the narrative:—

I left it [England] under a perfect unanimity; *the fatal distinctions of Whig and Tory* were then esteemed merely nominal . . . but now on my return I found them on the old establishment, perfect contraries. . . . *But Whig and Tory are in my mind the completest paradox in nature*.²¹⁷

Here again is the use of another particular expression (such as that of 'common salutations' already mentioned):—

I one day took the freedom to tell his Majesty that the contempt he discovered towards Europe and the rest of the world did not seem *answerable* to those excellent qualities of mind that he was master of.²¹⁸ BROBDINGNAG.

So was it happily celebrated with a success *answerable* to the glory of the undertaking.²¹⁹ CARLETON.

And at a different part further on: 'And *answerable* to that his first zeal was his vigour all along.'²²⁰ Lastly, at the end of the 'Voyage to Laputa,' which, in the account of the 'Academy of Lagado,' based on Rabelais' story of the courtiers of 'La Reine Quinte,'²²¹ supplies another plagiarism, Gulliver says:—

On the 16th of April we put in at the Downs. I landed next morning and saw once more my native country after an absence of five years and six months complete.²²²

But almost the concluding passage of the 'Memoirs' runs in a similar exact strain:—

In ten days' sail we reached Dover. Here I landed on the last day of March 1713, having not till then seen or touched English shore from the beginning of May 1705.²²³

I do not submit this list of parallelisms as being in any way conclusive; but I think the few instances mentioned tend to shew that when inditing the adventures of Captain Carleton the writer

²¹⁶ *Swift's allusions to Whigs and Tories*.—In addition to this passage, see the following similar expressions which occur in other pieces of Swift: *Works*, viii. 'Sentiments' [general deprecation of use of party terms]; viii. 'Argument' [condemnation of 'factious distinctions in politics']; iii. 'Examiner,' No. 43 ['the two fantastic names of Whig and Tory']; iv. 'Conduct' ['No reasonable man, whether Whig or Tory (since it is necessary to use these foolish terms)']; vii. 'Answer to Memorial' ['were worrying one another upon points of Whig and Tory']; xvii. Letter to Sheridan, 24 June 1727 ['nobody shall be used the worse or the better for being called Whig or Tory'].

²¹⁷ *Carl.* 230.

²¹⁸ xi. 155.

²¹⁹ *Carl.* 96.

²²⁰ *Carl.* 146.

²²¹ xi. 215 [Note by Scott].

²²² xi. 267.

²²³ *Carl.* 459. It may be noted that the expedition under Peterborough did not leave St. Helens till 4 June 1705.

would seem to have had fresh in his mind the language used in those of Captain Gulliver.

We now arrive at what is, I think, the most remarkable of all the undoubted works of Swift; and, curiously enough, although in the proof it affords of the dean's genuine handiwork and real politics this piece is of a value quite unique, yet among the whole range of his more finished compositions it is perhaps the one least noticed by biographers and critics. I allude to a book of which the following is the title page: 'Memoirs of Captain John Creighton. Written by himself. Printed in the year 1731.'²²⁴ There is no name of printer or publisher nor place of issue; and obviously the work was not published at all, but privately printed and circulated among a limited number of subscribers.²²⁵ It is a small 8vo. volume of 170 pages large print, and in the book at the British Museum, at the end of the inevitable address 'To the Reader,' is an actual signature (in faint ink) 'Jonat. Swift;' hence it is clear that each copy must have been thus signed and vouched for. But whether owing to the unwonted absence of anonymity, or to being cramped in range of fiction, or because the work, being strongly Jacobite, was not intended for the public, true it is that in style it manifests few of the distinguishing characteristics of 'Gulliver's Travels' or of Swift's best prose compositions. Of course there is satire, and probably the nature of it is such as Swift much enjoyed, for it is almost wholly levelled at the profession to which Captain Creighton belonged; but for the exquisite ease, wit, and simplicity of the 'Travels' we shall look in vain. Hence, although between the reminiscences of Creighton and Carleton, in point of substance and in food for ridicule, we shall find considerable similarity, yet between those of Gulliver and Carleton there is far more resemblance both in diction and style. Perhaps in these two last elaborate efforts of wit the dean had somewhat exhausted his vein, and in consequence the adventures of Creighton have suffered. In his address 'To the Reader' Swift says:—

The author of these Memoirs, Captain John Creighton, is still alive, and resides in the northern parts of this kingdom. He is a very honest and worthy man, but of the old stamp; and it is probable that some of his principles will not relish very well in the present disposition of the world. His Memoirs are therefore to be received like a posthumous work, and as containing facts which very few alive except himself can remember.

²²⁴ *Works*, xii.

²²⁵ As edited by Scott, the work is preceded by an anonymous 'Printer's Advertisement,' which must have been added by Faulkner in 1763, when he published the piece in vol. x. of his series of Swift's writings. [In 1764 it was given by Bowyer in Hawkesworth's vol. vii. (4to), which is a reprint from Faulkner.] It may be doubted if the anecdote given in this 'Advertisement' is founded on actual knowledge.

After stating that, with a view to relieve his wants, 'the author was persuaded by his friends to recollect and put in order' his warlike doings, the writer

desires to return his most humble thanks to his worthy subscribers, and hopes they will consider him no farther than as an honest, well-meaning man, who by his own personal courage and conduct was able to distinguish himself, under many disadvantages, to a degree that few private lives have been attended with *so many singular and extraordinary events*.

In the preliminary portion of the narrative, which throughout is in the first person, Creighton tells us that he was born in Donegal in 1648,²²⁶ and thus he must have been a contemporary of Carleton, who for the year of his nativity gives 1652. The veteran goes on to say that he was the eldest of the twenty children of Alexander Creighton, whose grandfather (of the house of Dumfries) came over from Scotland about the end of the sixteenth century. In 1674 Creighton entered Athol's horse guards in that country; and from that year till the revolution Scotland appears to have been the scene of a series of startling exploits against the covenanters, performed by the writer of the memoirs. But if the deeds of Carleton were of a type which only could have been rivalled by those of the famous Baron Munchausen, whereunto shall we compare those of Creighton? and if Carleton's stories were of the *genus* cock-and-bull, what shall we say of Creighton's? For of all the wonderful military 'business' ever put in print, this I think beats everything. Apparently the whole book, from beginning to end, is a series of fabrications; and there being comparatively little of the intellectual *vraisemblance* that pervades the adventures of Gulliver and Carleton, I do not think that Swift can reasonably be accused of rating too highly the intelligence of his intended Jacobite readers.²²⁷ Surely they must have been principally of the nature of that Irish prelate who said it was difficult to believe all that was stated in 'Gulliver's Travels.' Perhaps the best piece of adventure in the Creighton narrative is the combat of Air's Moss, where the hero is placed in command of the royal troops [the real man being Captain Bruce of Earlsall]. During the fight, by a terrific backstroke, he cuts the rebel leader's head clean off, and after routing the enemy pursues and engages twelve of them singlehanded. Having killed one, he is himself run through 'the small of the back'; he then slays two more, but is again desperately wounded, and finally left

²²⁶ *Works*, xii. 17.

²²⁷ At the very outset of his narrative Swift, as it were, leads trumps. Thus (at page 13) he makes Creighton say that his cousin, a physician, 'proved so famous in his profession that he was sent by her late Majesty Queen Anne to cure the king of Portugal' of a certain disease; but when he arrived at Lisbon . . . the Portuguese council and physicians dissuaded that king from trusting his person with a foreigner.

for dead. However, he soon revives, resumes command of his detachment, and marches 'sixteen long miles to Lanark,' where, after being cordially received by the general, he takes a hearty glass and then has his wounds dressed.²²⁸ At another time we are told that 'having drank hard one night' he dreamt that a noted rebel, one Steele, was in a certain farmhouse in Clydesdale, and going there next day with a party of dragoons actually found and captured him.²²⁹ The whole work consists of similar undisguised satire on the military profession, flavoured with keen Jacobite sympathies and marked by intense animosity against the presbyterians. No wonder then that Swift himself never published the work; and what possible motive Faulkner and his other professed friends can have had in so doing eighteen years after his death it is difficult to conjecture.

Like as in the case of Gulliver, I now propose to compare with the adventures of Carleton those of Creighton. We shall then have had before us the chronicles of three distinguished captains, all written apparently between 1726 and 1730. Following in a notable manner the Gulliver and Carleton narratives, the Creighton one not only commences with an address 'To the Reader' in the third person, in which the subject of the work is also styled 'the author,' but the *simple, truthful* nature of the text is again carefully dilated on. Thus in the Creighton story Swift says:—

I am confident that he has not inserted one passage or circumstance which he did not know, or from the best intelligence he could get, believe to be *true*. These memoirs are therefore offered to the world in their *native simplicity*. . . . Besides the *great simplicity* in the style and manner of the author it is a very valuable circumstance that his *plain relation* corrects many mistaken passages in other historians, which have too long passed for truths.²³⁰

But the designation of Creighton as the 'author' and the wording of the title-page 'written by himself' are facts especially noteworthy, since we know for certain this so-called author was not the real writer; hence very probably precisely the same fact applies to the case of the Carleton narrative. In both works two of the principal features are the satire against military deeds and habits and the prodigious warlike anecdotes. In this connexion it may be noted that each has a story of a man's head cut off by a back-stroke of a Scotch dragoon.²³¹ Between the military careers of the two heroes

²²⁸ *Works*, xii. 47–53.

²²⁹ *Works*, xii. 55–56.

²³⁰ At the end of this address Swift says:—'I know not any memoirs that more resemble those of Philip de Comines (which have received so universal approbation) than those of Captain Creighton, which are told in a manner *equally natural and with equal appearance of truth*.' Apparently this is a sneer at a passage in Temple's second essay on 'Ancient and Modern Learning,' wherein, after alluding to the memoirs of Philip de Comines, Temple says that he 'is valued . . . for his *great truth of Relation and Simplicity of Style*.' [*Temple's Works* (1720), i. 298.]

²³¹ *Carl*. 127; *Works*, xii. 47.

there are also several points of resemblance. Each enters the army in 1674 as a gentleman-volunteer in a troop of horse guards; and of each, at one time or another, Claverhouse (afterwards Dundee) is a comrade.²³² For brave exploits in Fenwick's foot, Carleton is made lieutenant in a new raised regiment of infantry; and for daring actions in Athol's guards, Creighton gains the same promotion in a new-raised corps of dragoons;²³³ whilst it is in the rank of captain that each terminates his active career. The month of June 1689 finds them both in Scotland (near Strathspey), in the army collected by General Mackay to encounter Dundee—the one in Leslie's foot, the other in Levingstone's dragoons; and if Creighton had only deserted to Dundee as (when arrested) he had fully intended, what a combat of Titans had we witnessed!²³⁴ In both works, whilst their general politics are identical, much interest is manifested in religious matters, and indecent stories are told of ministers of religion; in the one case the attack being made on Irish Roman catholic priests, and in the other on Scottish presbyterian divines.²³⁵ Besides biographical fiction each book contains personal libel²³⁶ and historical falsehood,²³⁷ whilst each concludes with an invocation to God as to the author's truth and uprightness.²³⁸

I am at present, says Creighton, in the 83rd year of my age [if alive Carleton was in his 78th or 79th]. . . still hated by those people who affirm the old Covenanters to have been unjustly dealt with . . . and my comfort is that I can appeal from their unjust tribunal to the mercy of God; before whom by the course of nature I must soon appear, *who knows the integrity of my heart.*²³⁹

Finally, though the figure-head of each story was a real personage,²⁴⁰ and certainly may have supplied the necessary rough notes or oral accounts of a fraction of the scenes depicted, thereby affording foundation and pretext for the desired superstructure of fiction, yet, in the case of each hero, a somewhat close research

²³² *Carl.* 7–8; xii. 18.

²³³ Dunmore's, afterwards Levingstone's. *Carl.* 25; xii. 25–27.

²³⁴ *Carl.* 25–30; xii. 75–82. See also Mackay's *Life of General Mackay*, 28–33; and the *Leven and Melville Papers*, 49, 150, 180–2–3–4, and 216. Levingstone's Dragoons became afterwards the 2nd, or Scots Greys.

²³⁵ *Carl.* 186–192; xii. 19–20, 29.

²³⁶ For that in the *Creighton Memoirs* see *Works*, xii. 35 [against the Duke of Monmouth]; 68 [against Lord Churchill]; 75 [against Sir Thomas Levingstone, afterwards Lord Teviot]; 77 [against Lieutenant-General Douglas]; and 85 [against Lord Melville].

²³⁷ For that in the *Creighton Memoirs* see especially, besides the narrative in general, xii. 30 [Drumclog]; 34–8 [Bothwell Bridge]; 47 [Air's Moss]; 82–3 [Killiecrankie].

²³⁸ For that in the *Carleton Memoirs* see Latin invocation already quoted.

²³⁹ *Works*, xii. 93.

²⁴⁰ *Works*, xii. 60 [note]. The genuine Creighton was merely a cruel henchman of Claverhouse.

made to discover his exact family identity has been hitherto completely baffled.

That Swift was acquainted with some of the Dublin or Irish Carletons, all of whom appear to have been descendants of the main line, is extremely probable; ²⁴¹ for, apart from proximity of residence, the elder branch of his house and the Carletons of Fermanagh were cousins of the same people, namely those very Creichtons of whom Captain John claimed to be a scion! And if Captain George was really (as is not incredible) a member of the Oxfordshire branch, he almost surely would be known to one or other of his numerous kinsmen in Ireland, where after 1713 (as already stated) he must principally have lived. ²⁴² By this means he may readily have obtained a sympathetic acquaintance with Swift; or an introduction may have been effected through the medium of the Creichtons, ²⁴³ who by no fewer than three marriages were connected with the Swifts, and by two others, with the above-named Carletons; ²⁴⁴ or lastly, independently of any claims of kinship, he may

²⁴¹ Some of them, perhaps, through the Vanhomrighs. See note 68.

²⁴² In this connexion, Lord Eliot's statement about Carleton's ancestry [see note 26] is of some importance.

²⁴³ From a letter written by Swift to Mr. Worrall, dated Market Hill (Armagh), Jan. 13, 1728-9, it would appear that Captain John Creighton was then living in Chapel Street, Dublin. Since it is probable that Captain George Carleton was also a resident of Dublin, it is not unlikely that the two veterans were acquainted with each other. By means of documents in the Dublin record office, I have endeavoured to identify this John Creighton; but at the time (independently of the rather strong likelihood that the family details concerning him given by Swift are not strictly accurate), there were so many John Creichtons in Ireland, that as yet my efforts have been ineffectual. [The name appears to have been spelt indifferently, Creighton, Creighton, or Crichton. The family of the present earl of Erne are their descendants.]

²⁴⁴ *The connexion of the Carletons, Creichtons, and Swifts.*—George Carleton of Market Hill Fermanagh (son of Christopher, of the same place, who was kinsman of Christopher of Dublin [see note 68], and commissioner of the revenue), married Catherine, daughter of the hon. John Creighton (of Aughlane, Fermanagh), whose father, William, 1st earl of Dumfries [in the *Memoirs* Captain John's family is expressly stated to be that of the Dumfries Creichtons]; eldest brother, William, 2nd earl; and sister, Lady Mary; had married respectively Ursula, widow of Sir Robert Swift, of Rotherham, Yorkshire [b. 1568, d. 1625]; Penelope, their daughter; and Barnham, their son [afterwards Lord Carlingford, d. 1634]. Now Dean Swift belonged to a younger branch of this family, and his father had left England, probably about 1660 [æt. 18], in order to study and practise law in Ireland. His grandfather had held a living in Herefordshire, and died there in 1658. Moreover, George Carleton's son Christopher married Henrietta Maria, daughter of a Colonel John Creighton, of Fermanagh, who died 1738. In his will, however, dated Sept. 6, 1738, he is not mentioned with any military title, whilst four other daughters are alluded to, and possibly this was the Captain John of the *Memoirs*. Independently of these ties, the Carletons and Creichtons of Fermanagh were also connected through a third old Fermanagh family, viz. that of the Irvines (or Irwins), two of whom (aunt and nephew) had married a Carleton, and one (a niece of the same aunt, and daughter of Lieut.-Colonel Sir Gerard Irvine), a John Creighton of Crum Castle, Fermanagh, who died in 1715. Of this family of Irvines, four (real) members, viz. Gerard [above mentioned], his brother [Christopher], and the two sons of the latter [Christopher and James], are mentioned in the *Creighton Memoirs*; and Gerard is stated to be a 'relation' of Captain John's father, Alexander Creighton.

easily have gone direct to a literary magnate so well known as the dean of St. Patrick's.²⁴⁵ However this may have been, Captain Carleton, when more or less in a state of penury, no doubt found means to inform Swift that he possessed some rude jottings, or at all events some personal reminiscences of the war in Spain, which in order to relieve his distress he would be glad to sell. Thus his case would constitute a very parallel one to that of Captain Creighton, whose necessities, as we know, Swift did actually attempt to alleviate. Hence in 1726 when the dean came over to England he doubtless submitted Carleton's notes to Peterborough and found him ready enough to purchase them. An arrangement would then have been made whereby, after undergoing a process of intellectual cookery, they were to be treated as the groundwork for that sequel to Freind's 'Account' to publish which Peterborough must long have been awaiting the earliest safe opportunity. To this theory a curious brief letter written by the latter to Swift shortly after his arrival in London lends some colour; ²⁴⁶ and the death of Lord Charlemont in July the same year probably removed the last important obstacle, for in the 'Memoirs' that peer is grossly maligned. Afterwards, the death in April 1728 of Lieutenant-General Richard Gorges must have permitted the insertion of an incidental passage in connexion with that officer and his services at Alicant, calculated to satisfy a bitter grudge which evidently Swift himself had previously borne against Gorges and his wife.²⁴⁷ That the work, in its essential or historical part, was inspired by Peterborough, and that he paid for the publication of the book, must, I venture to think, be accepted as moral certainties; for an expensive work of this nature is not given to the world without adequate motives, and in the production of such a narrative no other conceivable patron could

[Pub. Rec. Ireld., Wills. Records in Ulster's office, Dublin. Monck Mason's *History of St. Patrick's Cathedral*, 225. Mr. Deane Swift's *Essay*, 15, 38. Swift's *Works*, i. 5, App. 467. Collins's *Peerage* (1812). Burke's *Peerage and Landed Gentry. New Peerage of England, Scotland, and Ireland*, ii. (2nd edit. 1778)].

²⁴⁵ Possibly they became acquainted between 1700 and 1705. See notes 44, 98, and 105.

²⁴⁶ It begins thus:—'Sr, One of your Irish heroes that from the extremity of our English land came to destroy the wicked brazen project desires to meet you on Monday next at Parson's Green. If you are not engaged I will send my coach for you.' He then goes on with a few lines about the dean's approaching visit to Walpole, and ends, 'Your affectionate servt, PETERBOROW. Saturday evening.' It is addressed in Peterborough's handwriting 'For Doc^t Swift att his Lodgings in Berry Street,' and is endorsed at the top in Swift's writing, 'E. of Peterborow—1726 in sum.' As Swift's interview with Walpole took place on April 27, this letter must have been written a few days previously. Scott [xvii. *Letters*] omits several particulars given above (which are copied from the original in the Swift Papers, Add. 4806 f. 221), and especially the initial 'Sr,' thus making it appear as if only a portion of the letter were given.

²⁴⁷ Respecting Charlemont and Gorges, see notes 103 (4), (5) and 115 (b), (c).

possibly have been interested.²⁴⁸ Moreover, among the materials for its preparation supplied by Peterborough he must have included a 'Memorial of the Expedition to Barcelona Anno 1705' (with its accompanying diary), which was evidently prepared at the time by his confidential agent, Colonel John Richards (among whose papers the drafts are to be found),²⁴⁹ and also copies of his own letters to Lord Godolphin, the duke of Savoy, and Mr. Hill, the envoy at Turin,²⁵⁰ as well as the printed narrative of the 'Proceedings in the House of Lords in 1710-11';²⁵¹ for all these documents have evidently been drawn on and worked in by the writer of the 'Memoirs.'²⁵² Moreover Dr. Freind would doubtless lend such manuscripts of his own as might be of service, whilst of course his printed narrative could be (as it actually was) freely utilised. To Swift then would be entrusted the delicate literary task of engrafting on the rough notes furnished by George and Villar Carleton (aided possibly by similar ones from Thomas and Lancelot) a fictitious account of Peterborough's doings in Spain; the gaps being padded by extracts from the works of Temple, D'Aulnoy, Freind, and the gazettes of the times, assisted by the reminiscences or jottings of the doctor; and the whole woven into the artless *bonâ fide* 'Memoirs' of a deserving, impoverished veteran.²⁵³ Into such a 'bite' on the public the writer

²⁴⁸ In 1699, in connexion with his previous subornation of evidence at the attainder of Sir John Fenwick, this peer had inspired the by no means dissimilar *Memoirs of Captain Matthew Smith*, traducing the earl of Shrewsbury, which (according to Macky) were actually written by Dr. Davenant [*Macky*, 64; *Luttrell*, iv. 167, 591-5]. To preclude the idea that Peterborough himself could have written the *Memoirs of Captain Carleton*, it is only necessary to read his rambling verbose letters in the Godolphin MSS. and in the privately printed correspondence between himself and General Stanhope.

²⁴⁹ Richards' Papers, Stowe Coll. xxv. (No. 136). Compare many of the expressions in these two documents ('Memorial' and 'Diary') with very similar ones to be found in the *Memoirs* on pp. 51, 53, 54, 55, 56, 63, 64, 66, 67, 68, 69, 70, 72, 73, 74, 75, 76, and 81. As regards Richards see notes 108 (6), 104, and 115 (d).

²⁵⁰ See Godolphin Papers Add. 28056 f. 309. (Copy with no signature, but clearly from Peterborough), f. 329, f. 353, f. 355, f. 392; Add. 28057 f. 25 (copy with no date or signature, but clearly from Peterborough), f. 91, f. 93, f. 105, f. 150, f. 190, f. 247, f. 251, f. 282, f. 296, f. 324.

²⁵¹ Boyer [*Annals*] ix. App. 108 *et seq.*

²⁵² Compare especially Add. 28057 f. 25 ['for so vain and mad an attempt'] with *Carl.* 59 ['on the other hand our own officers,' &c.]; Add. 28057 f. 91 ['I had in Valentia but 1,400 foot,' &c.] with *Carl.* 90 ['Though the citizens,' &c.] and 'Proceedings' in Boyer ix. App. 112 ['That the E. of P. may acquaint the House of what he knows of the E. of G.'s proceedings,' &c.] with *Carl.* 104 ['In regard to another general it may merit notice,' &c.]

²⁵³ *The intimacy between Peterborough, Freind and Swift.*—Between Peterborough and Swift on the one hand, and between Freind and Swift on the other there was an independent bond of political and social intimacy; and the fact of Freind having acted as the confidential amanuensis of Peterborough in 1707 would appear to make the triple connexion complete. During the last years of Queen Anne this mutual companionship was of a marked nature, and perhaps a summary of its recorded details, shewing also incidentally the interest taken by Swift in the Spanish war, may not in this place be inexpedient. *Works*, xv. Letters to King of 22 Jan. and 6 Feb.

of the 'Bickerstaff Predictions,' the 'Sacramental Test,' the 'Journey to Paris,' 'Hamilton's Bawn,' the 'Memoirs of Captain Creighton,' and many other similar efforts would willingly throw himself; and it is not easy to believe that by the dishonesty of the whole proceeding such men as Peterborough and Swift would ever have been deterred.

ARTHUR PARNELL.

1707-8 [relating to action against Peterborough by the Godolphin cabinet with reference to *his conduct in Spain*, and evidently sympathising with him]; *Works*, ii. 'Journal' 15 Oct. 1710 [after dinner with Harley, P. came in. 'We renewed our acquaintance and *he grew mightily fond of me*']; 21 Oct. 1710 [again meets P. at Harley's]; 11 Nov. 1710 [dines with St. John and among guests is Freind who (says Swift) '*writ Lord Peterborow's actions in Spain*']; 23 Nov. 1710 [supps at P.'s with Freind and affectionately says regarding P., '*It is the ramblingest lying rogue on earth*']; 7 Dec. 1710 [dines at St. John's with Freind]; 25 Dec. 1710 [says P. had two months before predicted the *recent allied defeat in Spain*, and pleasantly adds, '*An ill tongue may do much*']; 29 Dec. 1710 [dines at St. John's with P. who is going to Vienna, and 'has promised to make me write to him']: xv. Letter to King, 30 Dec. 1710 [*wishes P. were again going to Spain*]; ii. 'Journal,' 2 Jan. 1710-11 [converses with P. in a barber's shop *about Spain*]; 3 Jan. 1710-11 [dines with P. at the Globe. '*We are to be mighty constant correspondents*']; xv. Letter to P. 19 Jan. 1710-11 [highly eulogistic. *Wishes he could see P. 'conquering' Spain over again*]; ii. 'Journal,' 5 March 1710-11 [dines with Freind]; 27 March 1711 [spends evening with Freind]; 20 April 1711 [receives letter from P. who hopes Swift will get a bishopric or deanery. Dines with Freind]; xv. Letter, 4 May 1711 [writes to P.]; ii. 'Journal,' 9 May 1711 [goes with Freind to visit Atterbury]; 20 June 1711 [hears from P. who is on his way home, and proposes to take Swift as his chaplain and secretary]; 2 and 8 July 1711 [dines with Freind]; 3 July 1711 [visits P. who has arrived, and entreats him to obtain a pension for the courtesan Mary Manley, on account of her *New Atalantis* (see note 110)]; xv. Letter to King, 12 July 1711 [says regarding P. '*he will engage to convince me that Spain is yet to be had*,' but thinks him 'something restless and capricious']; ii. 'Journal,' 20 July 1711 [had been again with P. 'who is going another ramble']; 29 July 1711 [he and P. dine with St. John]; 18 Oct. 1711 [P. is again abroad, and is going to Italy. '*He has abundance of excellent qualities, and we love one another mightily*']; Jan. 16, 1711-12 [dines with Freind]; iii. 'Journal,' 8 March 1711-12 [recommends Freind to St. John for post of physician-general to the troops in Ireland]; 20 March 1711-12 [recommends him to Ormond for the same. In June 1713 Freind was appointed to this office (Pub. Rec. Ireld., Brit. Dep. Corr. i. f. 287). In July 1728, when he died (which must have been not long before the appearance of the *Carleton Memoirs*), he was physician to Queen Caroline, and so high in favour at court that he was actually buried in Westminster Abbey!]; 10 Jan. 1712-13 [whilst dining with Oxford, P. who has just arrived from Italy, comes in. '*As soon as he saw me he left the duke of Ormond and other lords and ran and kissed me before he spoke to them*, but chid me terribly for not writing to him. . . . *I love the hangdog dearly*']; 13 March 1712-13 [tells Miss Johnson that P. has brought over 'an Italian lady']; 28 March 1713 [dines with P. at Oxford's]; 7 April 1713 [says that in the House of Lords P. attacked Marlborough (then absent from England)]; 5 March 1713-14 [receives a letter from P. in Sicily]; xvi. Letter of 18 May 1714 [writes to P. referring to his having received the governorship of Minorca]. Between 1727 and 1735 (when Peterborough died) Swift's correspondence shows that, chiefly through the medium of their mutual friend Pope, repeated affectionate inquiries passed between himself and P. [*Works*, xvii. 6 March 1728-9, 29 Aug. 1729; xviii. 1732 (Swift to P. *n.d.*); 16 Feb. 1732-3, 6 Jan. 1733-4, 19 Dec. 1734, November 1735]. In the Forst. Coll. at South Kens. Mus. are some interesting manuscripts regarding P.'s latter end, showing that he died a Christian, and that immediately afterwards his widow burnt his collection of papers, which evidently would not bear publicity.

Notes and Documents

Γαρασδοειδής

ALL historians, who have studied the question of the Slavising of Greece, have been puzzled by an iambic line which went from mouth to mouth in the days of the Purple-born Constantine and passed for a smart hit. The verse was composed by Euphêmios, a well-known grammarian, or, as we would now say, philologist, on a Peloponnesian gentleman named Nikêtas, who was fond of talking about his noble birth. It is preserved in the treatise 'On the themes of the Empire of the Rômaioi' by the Emperor Constantine VII (ed. Bonn, iii. 54) :—

γαρασδοειδής ὄψεις ἐσθλαβωμένη.

The various guesses which have been made to explain the first word (not to speak of 'emendations') are far-fetched or phonetically unsound. But the solution is really surprisingly simple. The adjective is coined from the Slavonic proper name, Gorazd. The successor of the Slavonic apostle, Methodios, in his Pannonian archbishopric, was a Moravian Slave, named Gorazd, of whom we may read about in Dudik (*Allgemeine Geschichte Mährens*) ; and the name which was in use among the Slaves in Moravia may well have been in use among the Slaves in Greece. Thus Euphêmios meant that the vain Peloponnesian had the face of a Slavonic Gorazd (or Garázd), just as one might talk of 'the fiz of a high-Dutch Hans.'

J. B. BURY.

THE GRAMMAR SCHOOLS AT OXFORD, A.D. 1321.

THIS extract from patent roll 14 Edward II, part ii. m 11, is a license to Nicholas de Tyngewick to grant in mortmain to the university of Oxford two messuages in Oxford for the perpetual endowment of two masters in arts to superintend the grammar schools. It is an early anticipation of the system of professorial endowments which began to be adopted at the end of the fifteenth century. It further illustrates the enactments of the university regarding the payment of these superintendents, and explains the words *quatuor marcas de redditibus universitatis ad illum actum*

specialiter deputatis.¹ The donor was physician to Edward I in 1306,² and appears in 1325 as Med. Doctor, Bach. S. Theol., and one of the two *magistri extranei* of Balliol College.³ A. G. LITTLE.

Pro magistro Nicholao de Tyngewyk. Rex omnibus ad quos, etc, salutem. Licet de communi consilio, etc, per finem tamen quem Magister Nicholaus de Tyngewyk clericus fecit nobiscum, concessimus et licenciam dedimus pro nobis et heredibus nostris, quantum in nobis est, quod ipse duo mesuagia cum pertinenciis in Oxon' dare possit et assignare Cancellario et Magistris Universitatis Oxon', habenda et tenenda eisdem Cancellario et Magistris et successoribus suis Cancellariis et Magistris universitatis predictae, ad inveniendum duos Magistros in arte dialectica regentes ad scholas gramaticales ibidem pro defectu puerorum in gramatica studencium supervidendas imperpetuum. Et eisdem Cancellario et Magistris, quod ipsi predicta mesuagia cum pertinenciis a prefato Nicholao recipere possint et tenere sibi et successoribus suis imperpetuum, sicut predictum est tenore presencium, similiter licenciam dedimus specialem. Nolentes quod predictus Nicholaus vel heredes sui aut predicti Cancellarius et Magistri seu successores sui ratione statuti predicti per nos vel heredes nostros inde occasionentur, molestentur in aliquo, seu graventur; salvis tamen Capitalibus dominis feodi illius serviciis inde debitis et consuetis. In cujus, etc. Teste Rege apud Westmonasterium, x die Maii—per finem x solidorum.

THE BLACK DEATH IN LANCASHIRE.

Supplementary note.

My attention has been drawn to several mistakes in connexion with the document on 'The Black Death in Lancashire,' printed in the *ENGLISH HISTORICAL REVIEW*, July 1890. (1) As to Willelmus del Preesse (p. 525 and note 2), I am indebted to Mr. John Lewis, of Bolton-le-Moors, for the information that there is a Weeton-with-Preese near Kirkham-in-the-Fylde, and a Preesall-with-Hackinsall, north of the Wyre, both in Amounderness Hundred. Colonel Fishwick, of Rochdale, writes identifying the juror with William del Prees, of the manor of Prees, in Kirkham parish, who died between 1350-1356 (see 'History of Kirkham,' Chetham Society). (2) The explanation of the total (given at the end of the document, p. 530), 'xlvij^{li} x^s,' which puzzled me, has been supplied by Mr. R. L. Poole. It is got by adding up the sums specially allowed by the jurors, and omitting all the rest. It will thus be seen that the jurors did not reduce, but simply ignored, many of the claims of the archdeacon (*e.g.* the claims for the administration of goods of persons dying intestate).⁴

A. G. LITTLE.

¹ *Mun. Acad.* 439, 440.

² Rymer's *Foed.* vol. i. pp. 999, 1000.

³ *Hist. MSS. Comm. Report IV*, p. 442.

⁴ Mr. Poole has also pointed out another error on p. 525, line 23: '34l.' should be '24l.' (see p. 526, line 12).

THE WILL OF THOMASO GIUNTI.

PROFESSOR Pietro Paoletti has kindly drawn my attention to the will of Thomaso Giunti, at one time head of the Venetian branch of the great printing and bookselling family the Giunti, who carried on business in Florence, Venice, and Lyons.

I have transcribed the holograph will in full. It is preserved in the *archivio di stato* at the Frari, Venice, among the *testamenti* of Angelo de Canali; busta 210, No. 527, and in the *protocolli* of the same notary, leaf 156, *verso*. The will is dated 27 July 1564, and there is a codicil added on 16 April 1566, when the testator was ill in bed. From the endorsement of the will and codicil we learn that Thomaso Giunti was dead by the last day of April 1566.

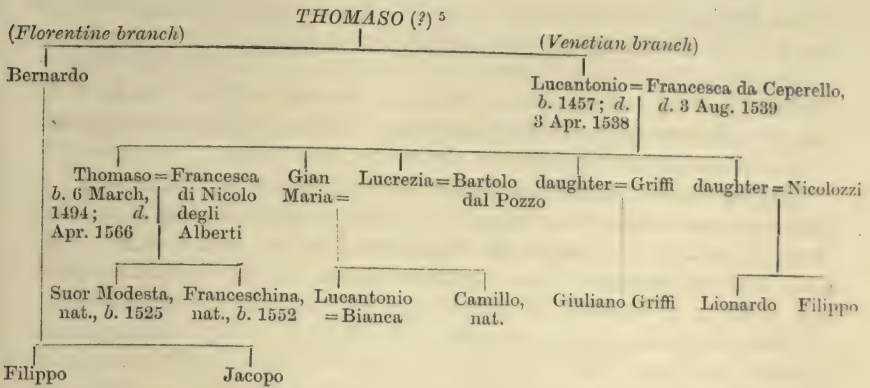
The will is interesting and valuable from several points of view. Besides giving us a glimpse of the family life of the Giunti in Venice, and a pleasant impression of Messer Thomaso's character, it supplies valuable information as to the pedigree of the family—here always styled Giunti, not Giunta or Junta—and also throws light upon the business affairs of their Venetian branch.

Lucantonio Giunti, founder of the Venetian house, left Florence, his native city, and settled in Venice in the year 1477. He brought with him his wife, Francesca da Ceperello. By her he had two sons and at least three daughters. Lucantonio died on 3 April 1538, and left his business to his sons Thomaso, the author of this will, and Gian Maria. Francesca, after her husband's death, returned to her native Florence, and died there on 3 August 1539.

Thomaso and Gian Maria traded under the firm, *heredi di luchantonio Giunti*. In May 1553 the firm suffered bankruptcy, owing to an attack made upon their credit by Messer Zuan di Priuli. The debts amounted to about 100,000 ducats. But Messer Thomaso declares with pride that the creditors were satisfied in full, *havemo poi integralmente satisfatti, con lo ajuto di Dio, ad ducato per ducato, in danari contadi*. Another misfortune befell the Giunti on 4 Nov. 1557, when their printing house was burned. In spite of these reverses, however, the firm at the time of Thomaso's death was in a flourishing condition, as is proved by the extensive properties which Messer Thomaso was able to devise to his wife and daughters.

Thomaso Giunti died in April 1566. He had no children by his wife, Francesca di Nicolo degli Alberti, and he named as his heir and successor in the business his nephew Lucantonio Giunti, son of his brother, Gian Maria. I have prefixed a table of that part of the Giunti pedigree which can be constructed from Messer Thomaso's will.

HORATIO F. BROWN.



Al nome di Dio a di 27. luglio 1564 ; In Venetia.

Considerando io Thomaso Giunti figlio del quondam Messer luchantonio Giunti da fiorenza, nessuna cosa in questo Mondo esser piu certa della Morte ; ne piu incerta del hora di quella et non volendo lassar le cose mie indisposte, ritrovandomi per la gratia di Dio sano del Corpo et della mente, ho fatto questo mio Testamento scripto de mia mano, il quale voglio che sia exequito doppo la morte mia, dalli infrascripti mio herede, et comissarii, annullando ogni altro Testamento fatto da mi fino al giorno presente, in caso se ritrovasse. Dechiarendo etiam ad perpetuam memoriam, la qual potria un giorno servire a qualche effetto alli miei posterì, che io son nato in questa citta di Venetia a di 6 Marzo 1494. secondo che ho trovato scripto de man de mio padre. Et il detto Messer Luchantonio mio padre, naque in fiorenza l'anno 1457. secondo che ho trovato scripto per sue memorie, et dipoi venne ad habitare in questa citta de Venetia, l'anno 1477. dove ha sempre tenuto casa et negocii, de libreria et stamparia, et finalmente qui morse a di 3 Aprile 1538. Et Madonna Francescha da Cepperello da fiorenza mia madre doppo habitata longamente in questa citta con detto mio padre volse andar a morir in fiorenza, dove morse a di 3 Agosto 1530.

Primo al omnipotente Dio creator mio, dono et racomando lanima mia, pregando sua divina Maesta vogli haver misericordia di quella, et voglio doppo la morte mia, esser sepolto nella nostra Archa posta nella giesia de San Zuanepolo, con quella mediocre spesa, parera allo infrascripto messer Gioan Maria Giunti mio fradello. Et sia dato al detto Monasterio de San Zuanepolo per le mie exequie ducati Tre L 6 s. 4 per ducato. Et alla mia Schola de San Marco di Battudi per el mio Sepellire ducati sie. Et alli fradelli della ditta Schola che acompagneranno el mio corpo alla sepoltura soldi otto per chadaun fradello. Et al hospital de San Zuanepolo Ducati diese. Et a quello delli Incurabili ducati Diese. Et a quello della Pietà ducati Diese. Et alle Convertide ducati Diese. Et al Monasterio de Santa Maria de l'oration in Malamocco ducati Diese. Et per maridar Donzelle numero vinti de bona vita et fama ducati quatro cento dico ducati 400, a ducati vinti per chadauna donzella in spacio di anni Diece continui, ogni anno Doi Donzelle, a eletion del ditto Messer

⁵ See *Testamenti Cavaneis*, No. 551.

Gioan Maria, et mancando lui, sia a eletion de luchantonio suo fiolo et de soi heredi. Et del Resto delle helemosine da farse, et del far dir Messe al tempo della mia sepoltura o da poi rimetto il tutto, nel detto Messer Gioan Maria et luchantonio, aggravando la conscientia de luno et de laltro a non mancare in queste helemosine, et in ogni altra cosa, che io ordinerò in questo mio Testamento, che sia tutto exequito.

Le sustantie quali ne ha lasciate el detto Messer luchantonio nostro padre, et quelle che dipoi ne ha concesse el nostro Signor Dio a noi due fratelli Thomaso et Gioan Maria, son sempre state et sono etiam al presente unite, et in fraterna, et niente diviso tra noi. Ma credo ben che avanti che io mora sarò forzato divider la mia facculta dal ditto mio fradello, causato non già da lui, ma per causa de sua Moier, il che seguendo cognosco che sarà con pocho utile de casa nostra, ma per voler vivere in pace questo pocho tempo che mi resta son forzato a far così et Dio perdoni a chi ne dà causa. Le quali sustantie così unite, et in fraterna, consistano parte in Possessioni con sue fabbriche, poste in questo Dominio Viniziano, sotto la Podestaria della Motta, che sono da campi cento ottanta incirca, alla misura granda, della Motta, et più o manco, quel che saranno al tempo della morte mia. Et una volta in Rialto segnata n° 29 posta sopra la drapparia nel 2° soler, che guarda verso li naranzeri. Et parte in la nostra mercanzia de libri a stampa, et nel exercitio de stamparia, et in altre cose, et in Debitori diversi da rescuotere. Et in masserizie della casa, et in ornamenti delle nostre due consorti, De zoie, De oro, De vestimenti, et de altre cose per loro uso, et altre zoie nostre che havemo per mercanzia, et Argenti per uso de casa, delle quali tutte cose ne ha notizia bastante, el detto mio fradello. Et havemo anchora un cavedal de Ducati Doi Milla incirca, et più li utili seguiti et che seguiranno alla giornata in una Bottega de Zambelotti, sciamiti e ormesini et altre merze posta in Spiciaria al segnal dei 3 Re, in compagnia de Messer Benedetto di Pichi et Messer Zuan piero Mazoleni, administrata da Thomaso Tascha. Et in altre diverse cose, benchè qui non sene faccia spezial menzione, come sa el ditto mio fradello et appariscie per li nostri libri et scripture.

Item voglio che siano pagati tutti li miei creditori, che realmente si troveranno dover haver da mi, al tempo della mia morte, tanto sotto il nome de heredi di luchantonio Giunti, sotto il qual nome havemo negociato, et al presente negociemo le cose dependenti dalla nostra stamparia, quanto sotto li nomi di Thomaso et Gioan Maria Giunti, Denotando che tutti li nostri creditori che restorno haver da noi, al tempo del nostro fallimento, per li negocii de Rialto, sono stati pagati tutti. Il qual fallimento fu causato, non già da nostra mala intenzione, ne da mancamento di nostra facculta, ma da una subita et inexpectata sovenzione, levata contra de Noi da Messer Zuan di Priuli fo de Messer Michiel, et fu a di 24 Maggio 1553. La qual publicata ne levo subito el credito, sì che non fu rimedio a resistere, ne trovar danari per potersi aiutar col nostro. Et detti creditori sotto nome di Thomaso e Gioan Maria Giunti ascendevano alla summa de ducati Cento Millia incirca, quali havemo di poi integralmente satisfatti con lo aiuto di Dio, ad ducato per ducato, in danari contadi, in quelli termini che al hora da essi creditori, per loro gratia, ne furono concessi. Non obstante etiam l'altra desgrazia che dipoi

ne successe, a di 4. Novembre 1557, per lo incendio della nostra stamperia, quale ne fu de gravissimo danno, et disturbo tanto per la perdita et disordine della stamperia, quanto per lo affanno della mente, vedendoci così percossi da adversa fortuna. Ma dipoi aiutato da Dio, siamo andati quella restaurando per giornata, talche hoggi la havemo redutta in assai bon termine.

Quanto alla mia carissima consorte Madonna Francescha di Nicolo degli Alberti da fiorenza, con la quale contrassi matrimonio in fiorenza a di 8 Marzo 1528 a uso de fiorenza, et 1529 corre (*sic*) al uso de Venetia, voglio et ordino che sopravvivendo doppo me, gli sia pagata la sua Dote integralmente in danari contadi, la quale fu de fiorini Mille quatrocento di suggello, moneta de fiorenza, quali me furono promessi in Dote da Antonio e Alberto degli Alberti suoi fratelli parte in contadi et Donora, et parte in crediti de Monete, et parte in certi termini, li quali fiorini Mille quatrocento di suggello, tali quali sono, vogliono che siano pagati con scudi settecento doro inoro in danari contanti, havendo havuta informatione che tanto se possono valutare ditti fiorini 1400. de suggello. E perche aconto de ditti fiorini 1400. oltre le partide ricevute per tal conto, me doveva vegnir nelle mani scudi quatro cento da lire sette per scudo de moneta da fiorenza, per retratto de un Podere posto a Empoli nel Dominio fiorentino, acquistato col brazo della justitia, come beni delli detti soi fradelli, obligati a questa Dote, venduta in Fiorenza, come di tal vendita appar nelli Atti de Ser Donato quondam Ser Antonio parenti, insieme con Ser Matteo da Barga, ambedui Notarii fiorentini, sotto di 23 Zugno 1557, I quali danari non ho dipoi potuti rescuotere, perche sul fare il pagamento furono notificati, et sequestrati et rescossi per Messer Antonio de Nobili Thesoriere generale del Duca di Fiorenza, et reteggnude, come disse, aconto de nostre Gravezze et impositioni de Sua Eccellenza contro de noi Thomaso et Giovanni Maria. Però quando mai si recuperassino per mani della ditta mia consorte, haveranno a andare, in diminuzione delli ditti scudi 700 doro. Ma non gli recuperando, non voglio per questo che lei sia obligata a domandarli al Duca, piu che la vogli, ma che gli siano pagati ditti ∇ 700—doro in oro, dapoi la morte mia liberamente et senza alcuna contraditione, ad ogni suo beneplacito, essendo maxime stati retegnudi per causa de nostre gravezze. Et se dipoi in alcun tempo se recuperasseno vengino nel mio Residuo. Et volendo la ditta mia consorte, lasciare detti ∇ 700—doro nelle mani del sotto scripto mio herede, sicome io la exorto a lasciarli, gli sia pagato per lo usufrutto, a ragione di sei per cento al anno mentre che staranno detti danari in loro mani.

Item volendo io provvedere al vivere della prefata mia consorte accioche sopravvivendo doppo me, la non patisca, lascio che ella sia usufruttuaria mentre che ella vivera di tutta la mia parte delle Possessioni et Terre con sue fabriche de qualunque sorte, poste sotto la Podestaria della Motta, o altra Podestaria a mi per qualsivoglia modo o raggione spectanti, o che spectar potessino, possendo quelle affitar e desfittar, o dare alla Parte, liberamente, a chi et come a lei parera et piacera, et delle intrade di quelle servirse per sustentamento del viver suo, con la sua famiglia, et altri suoi bisogni. Et dapoi la morte sua, retornino tutte in Luchantonio mio nepote, fiolo del ditto Messer Gio: Maria, Reservando però sempre et in

ogni caso la hipoteca speciale delle ditte mie Possessioni con sue fabbriche, per el maridar de franceschina, mia fiola naturale, come de sotto dechiariro, con questa tamen dechiaratione che se per caso per el maridar della ditta franceschina, o per qualunque altra causa, che evenir potesse, la ditta mia consorte, restasse priva in tutto o vero in parte, del usufrutto de ditte Possessioni, con sue fabbriche, voglio che se supplisca con danari contadi, talche che computando lo usufrutto, se pur qualche usufrutto gli pervenisse nelle mani, la habbia ogni anno in tutto ducati Tresento di L6 s4 per ducato mentre che ella vivera. Li quali ducati 300—overo quella parte che, abbatendo lo usufrutto bisognasse supplire in dannari contadi, gli sia pagata ogni 4 mesi la terza parte anticipata. Edipiu voglio et ordino che oltre lo assengamento de ducati 300 preditto, gli sia pagato el fitto de una casa per suo habitare, da 40 in 50 ducati de fitto al Anno a sua satisfatione, et il salario et spese di due Massare,⁶ per poter viver da sua posta, et il salario de una barcha che la serva la festa, se gia non eleggesse de habitar in compagnia del ditto Luchantonio et de Bianca sua moier, tornando ben ad una ed altra parte de star insieme, per spargnar el fitto e altre spese, in beneficio del ditto Luchantonio, il qual usufrutto et assegnamento de ducati 300. intendo che servino anche (quando pero siano bastanti a supplire) per el vivere de franceschina mia fiola, ma non essendo abastanza, del che sene habbia da stare liberamente alla semplice relazione di ditta mia consorte, sia supplito quel piu, che bisognasse per el viver et sustentamento de tutti loro fino al tempo del suo maridar, overo monachar come de sotto faro expressa dechiaratione.

Item lascio alla ditta mia consorte tutti li soi vestimenti de seda, de lana, de lino, et sue fodere et pelizze, de qualunque sorte che lei se trova haver, per uso della persona sua, alla morte mia, delle qual cose la possi disponer, et vender et servirse delli danari ad ongi suo commodo, et beneplacito. E perche io so che lei non potra habitar in la casa, dove habitara la moier de mio fradello, per esser molto dissimili de natura, e per non se confar luna con l'altra voglio che ella habiti in una casa separada, et che gli sia pagato el fitto, come de sopra ho ordinato, nella qual possa far portar, et servirse de tutto el fornimento della mia camera, cosi de letti, lenzuoli, casse, quadri, mei retratti, et ogni altra cosa, che sia solita stare per el servizio della ditta mia camera per quelli usufructar ad ogni suo beneplacito, mentre che ella vivera. E perche havendo a tegnir casa separada, havera bisogna anche de altre Mazarizie de camare et cusina et letti per Massare, et altre occorenzie, quali non sono solite far star in ditta mia camera, perche tutte le Massarizie de cosa sono al presente commune tra mio fradello e mi, però voglio che gli sia fornita la ditta sua casa da Alto a Basso de tutti li soi bisogni et fornimenti, come lei propria per giornata dommandera, durante el tempo della vita sua. Ma se per caso io me trovassi diviso con ditto mio fradello al tempo della morte mia, et habitassi in un'altra casa separada, et accomadata de sue Massarizie, Dico in tal caso che bastera che tali Masserizie restino a lei per usufructuarle in vita sua, dovendo post mortem restar al ditto Luchantonio, ecceptuando il nostro scrigno de ferro, quale al presente sta in ditta mia camera, con tutte le cose che in quello se troveranno, et se alcuna cosa, de Argento, o de oro, o zoie, se retrovasse in ditta camera fuori del ditto scrigno, mentre

⁶ Serving maids.

che siamo in fraterna, siano reposte in ditto scrigno, exceptuando alcuni Anelli quali lei tiene appresso di se per uso suo, il qual scrigno con le cose in quello existente sia consegnato al ditto Luchantonio, ad ogni suo beneplacito, insieme con tutti li panni del mio dosso, che se troveranno alla morte mia, exceptuando se in ditto scrigno ge fussino le zoie et cadene doro riservade per franceschina mia fiola. Item ordeno che doppo la morte mia, a spese della mia heredita, la sia vestita de panni negri et altro che gli bisognasse, per andar vestita a uso de vedova, i quali vestimenti gli siano fatti duplicati, altri per lestade e altri per lo inverno, cosi per usar per casa come per andar fuori de casa, sicome lei medesima, per sua comodita et satisfatione rechiedera ad ogni suo beneplacito.

Io al presente non me ritrovo haver foli legittimi et naturali, ne mai ne ho havuti, ne debbio piu sperar delhaverne, trovandome de eta de Anni 70. et mia consorte amalata et indesposta, ma ben me retrovo haver doi fiole femine naturali, luna delle quali naque l'anno 1525—et al presente se ritrova monacha professa nel Monasterio de Santa Maria de loratione in Malamocco, nominata suor Modesta, ala quale lascio che sia dato a lei propria e non al Monasterio dal mio herede et Residuario ducati Dodese al anno de contadi, cioe ogni mese un ducato mentre che ella vivera et stara in ditto Monasterio vivendo a uso de bona religiosa, accioche la se ricordi de mi nelle sue orationi, et se el mio herede vorra alla giornata fargli qualche altra helemosina, gela raccomando. La qual provisione intendo che habbia da començar a correr subito doppo la morte mia, cessando poi alla morte de ditta suor Modesta, et retornando nel mio herede.

L'altra fiola femina naturale quale me trovo haver al presente, ha nome franceschina, la quale naque a di 7 Agosto 1552 a hore 11 $\frac{2}{3}$ in Domenica et dapoi che la fu deslattada la ho sempre tegnuda et tengo in casa mia, al governo de ditta mia consorte, la quale ne ha tegnudo et tiene cura et nutriscie, come se ella fusse uscita del suo proprio ventre; et sopravivendo ditta mia consorte doppo me, voglio che a lei sia lasciata in governo, fino al tempo del suo maridar, et in caso che la ditta mia consorte premorisce, sia depositata et posta a spese in qualche Monasterio de bona fama, a eletion delli soi comissarii, et in ogni caso, et in ogni luogo dove la stara sia mantegnuda del victo, vestito et governo, secondo el grado mio, a spese della mia heredita fino al tempo del suo maridar overo monachar. La qual monachandose haver debbia ducati Tresento. e piu la sua cassa solita, a darse alle Monege per dar in helemosina al Monasterio dove la sara acceptada. Et maritandose haver debbia in Dote delli mei Beni ducati quatromillia da L6 s4. per ducato, in tante Possessioni con le sue fabriche della parte mia a sua eletione, quale mi trovo haver al presente in fraterna, con ditto Messer Gio. Maria, ma ben penso che le havero divise, et fatto cognoscer la mia parte avanti la morte mia et avanti el suo maridar, le quali Possessioni sono poste sotto la Podestaria della Motta, da esser stimade fino alla ditta summa de ducati quattro mille, per amiei comuni. Et in ogni caso che le ditte Possessioni mancasino, obbligo a questo effetto tutto el mio Residuo, Et de piu oltre li ditti ducati 4000/ voglio gli sia aggiunto le sue Donora, cioe le Robe ch' ella se trovera per suo uso insieme con le sue Perle et Cadene doro et anelli che desotto dechiaro, da esser stimado tutto in conto de Dota oltre li ditti

ducati $\frac{3}{4}$ come meglio parera alli mei Commissarii sopra di lei deputadi. Riservando però libertà al ditto luchantonio mio nevodo de pagar ditta Dota de ducati $\frac{3}{4}$ con danari contadi al tempo del suo maridar, in cambio de ditte Possessioni, per galder ⁷ poi quelle per Rata de quello lui exborsasse, insieme con ditta mia consorte, mentre che ella vivera, nel modo che de sopra ho ditto. Non intendando pero che tal libertà se extenda al ditto luchantonio a poter disporre de ditte Possessioni avanti el maridar de ditta franceschina, con il voler dare altri assegnamenti equivalenti per pagar la ditta Dota a suo tempo, perche voglio che ditte Possessioni restino sempre a ditta Dota obligate per special hipoteca, et non se possino vender ne impegnar, ne in alcun modo alienar, sotto vinculo de fidei comisso, salvo doppo maridata et satisfatta la soprascripta Dota de ducati 4000/ et doppo la morte della sudetta mia consorte. Et le zoie soprannominate sono un Diamante de valuta de scudi centotrenta incirca; un Rubino de valuta de scudi 60 incirca; un fil de Perle N° 62 pesano in tutto carati 120; un altro fil de Perle N° 66, pesano in tutto carati 92; un altro filo de Perline da oncie No. 55 pesano in tutto carati 36; una cadena doro da cenzer de bottoni 14 a foiami pesano oncie 12 $\frac{1}{2}$; unaltra cadena doro da cenzer de bottoni 29 quadri pesano oncie 8; codenelle 4 de varie fazioni che pesano tutte oncie 7 incirca; un Pendente che ha un saffilo, un Rubino e una Perla attachati; e altre diverse cose doro, e anelli quali non voglio stare a nominarli qui a una per una, ma lasciero in libertà della ditta mia consorte a dargli di queste che io non nomino, quello che gli parera, et tenere per se quello che gli piacera, le quali tutte zoie assegnate alla ditta franceschina ut supra, se habbino doppo la morte mia a reponer in una cassetta con 2 chiave, delle quali luna resti apresso la ditta mia consorte, laltra apresso luno delli soi commissarii el piu vechio, dando poi la ditta cassetta in salvo nel Monasterio de S^{ta} + in la zuecha, fino al tempo del suo maridar. La qual franceschina non possi pigliar marito senza il consenso delli sottoscripti soi commissarii overo della maggior parte, et contrafacendo, quod Deus avertat, haver debbia solamente ducati cinquecento in Dote et non altro.

Comissarii veramente et executori di questo mio Testamento istituisco el sopradetto Messer Gio: Maria Giunti mio fratello, et il sopradetto Luchantonio suo fiolo, Messer Bartolo Pozzo mio cognato, lionardo Nicolozzi et in sua absentia Messer filippo Nicolozzi, medico, suo fratello, et Giuliano Griffi miei nepoti, con quella amplissima autorita et faculta, in tutte le cose della mia heredita, come io Thomaso proprio vivendo haverei et far potrei, et nelle deliberationi voglia el consenso della maggior parte. Ma nelle cose appartenente alla ditta franceschina mia fiola, aggiungo per commissarii Madonna francesca mia consorte per la mita delli voti, et Madonna Lucretia dal Pozzo mia sorella per un voto, Li quali tutti commissarii overo la maggior parte di loro habbino autorita plenissima in ditta franceschina pregandoli tutti a tgnir cura di lei, come se la fusse loro figliola, et a suo tempo maritarla con quella Dote et conditioni sopranominate. Item dechiaro che in tutte le cose appartenente alla ditta Madonna francesca mia consorte, contegnute in questo mio Testamento, istituisco lei propria sola commissaria, dico in tutte le cose a lei propria spetante.

Item lascio alli sottoscritti mei nepoti et Amici, non perche habbino bisogno di studiare, ma per segno de Amor, ducati cento trenta in tanti di mei libri, apprezzati secondo li precii nostri correnti, da esser divisi tra loro a ducati Diece per ciascuno, cioe a filippo et Jacopo fratelli e figli di Bernardo Giunti di firenze, a Camillo Giunti figliolo naturale di Messer Gio: Maria, a lionardo et a Messer filippo Nicolozzi fratelli, a Giuliano Griffi, a Simon Fantoni, a filippo Tinchì di Lione, a francesco di Lonchi libraro, a Bernardino Mazurini libraro, a Francesco disdotto in stamparia nostra, a Bartolomeo Bressanin tirador in ditta stamparia, et a pre Andrea pillolini fiorentino nostro correttor in ditta stamparia, accioche si ricordi di me nelle sue orationi, et a questi cinque ultimi per esser stati Amici fideli et sempre amorevoli verso casa nostra, tra molti altri amici nostri che troppo saria nominarli tutti e beneficiarli.

Nel residuo veramente de tutti mei beni mobili, stabili, presenti e futuri de qualunque sorte et in qualunque loco esistenti, Ragioni, Actioni che per qualonche via, Modo, o conditione me fusseno pervenuti o pervenir potessino, salve sempre et riservate tutte le cose de sopra ordinate; Lascio et istituisco doppo la mia morte mia universale herede et Residuario il sopra nominato luchantonio Giunti mio nepote figlio de Messer Gio: Maria mio fratelli, et lo prego che exeguisca tutto questo mio Testamento come de sopra ho ordinato, et altramente facendo gli incargo la coscienza et lanima sua, Exortandolo etiam a tegnir conto grande della nostra stamparia et del bello aviamento et credito che in quella havemo acquistato; la qual se lui sapera conservare fara honore et utile a casa sua, et non dara causa che se possi dire, che luchantonio vechio habbia fondata et elevata casa nostra, col mezzo della stamparia, et che luchantonio giovane la habbia lasciata cader in Terra, con sua infamia, et dishonor de casa sua, il che Dio per sua misericordia non permetta per non dare questa allegrezza a nostri inimici. E tanto dico essere la mia Volonta et ultima ordinazione, et haver scripto de mia mano questo Testamento in questo foglio et in un altro precedente questo di 27 del mese luglio 1564 in Venetia, il quale voglio consegnare a Messer Anzolo Canal nodaro da Venetia, perche lo compisca secondo el stile delli nodari da Venetia, e per sua merzede gli lascia Ducati Diece. Laus Deo.

THOMASO GIUNTI sopra scripto affermo
ut supra manu propria.

TUNBRIDGE WELLS IN 1659.

THE following letter was written to Richard, earl of Cork and Burlington, by his youngest daughter, the Lady Henrietta Boyle, who subsequently married Laurence Hyde, earl of Rochester (son of the great earl of Clarendon), and was buried with him in Westminster Abbey. Macaulay tells us that when the court visited Tunbridge after the Restoration there was no town there, but merely a few rustic cottages or 'cabins' and 'huts' scattered over the heath within a mile of the springs. The passages in this letter

alluding to 'rooms' and 'stairs' are hardly consistent with the picture given by the historian. At any rate the letter shows that, however limited the accommodation, there was a great amount of gaiety and society gossip going on at the springs in the last year of puritan rule, and that the fashionable faults and follies of the Restoration, 'humming' airs and 'swearing' in the intervals of small talk, were already making their appearance.

'Lord Bellowesses' was the second son of Sir Thomas Belasyse, bart., first viscount Fauconberg, and the brother of the second viscount, who married Mary Cromwell. The two brothers seem to have adopted the politics of the vicar of Bray and to have been loaded with favours by Cromwell and Charles II. John, Lord Belasyse, married for his second wife Anne, daughter and co-heiress of Sir Robert Crane of Chilton, and widow of Sir William Armine Osgodby, Lincolnshire. She was the Lady Ermine of this letter. The marriage of Lady Warwick with Lord Manchester does not seem to have taken place. Mrs. Terwhitt seems to have been a lady companion or chaperon. Lady Henrietta Boyle must have been a young girl in 1659. She died in 1687, and her mother, the heiress of Henry Clifford, earl of Cumberland, died in 1690.

M. HICKSON.

My Lord,—By my not drinkeing the Waters I gaine the priveledge of writting to your Lordshipp, which I will employ to the beste I can to Divert your Lopp. with Newes. The greatest worth Writting is of my Lord Bellowesses being married to my Ladie Ermine and my Lord Manchester to my old Lady Warwick. I cannot but withall give your Lpp. an account of the Company wee lately had of (. . .) and his Daughter, who is just her Brother Robert in Fashion and her Father in bewty, humming and sweareing, yett he complaines much of her being rude, and that instead of walkeing through a Room she hopps, and shee never goes downe Staires but shee Jumpes three Stepps at once. Shee laments much one Piece of her bravery, her gray Hatt, which shee brought not with her for feare of spoileing it. And for feare shee should not behave herself politely when shee Drinkes to anie one her Father makes three bowes for her. I wish your Lpp hath been an Eye Witsnesse of this Sight as well for the recreation it would afforde you as for the Comforte your Lpp's presence would bring to My Lord.

Your Lpp's most obedient

Daughter & Humble Servante,

HENRIETTE BOYLE.

24 July 1659.

Mrs. Terwhitt presents her most humble Service to your Lpp and my Sisters present their most humble dutie to your Lpp, who are hindered from doing it themselves by taking the Watters. Wee all humbly begg your Lpp's blessing.

Reviews of Books

The State: Elements of Historical and Practical Politics. A Sketch of Institutional History and Administration. By WOODROW WILSON, Ph.D., LL.D. (Boston. 1889.)

To estimate this work rightly we must bear in mind its threefold character—theoretical, historical, and descriptive. The portions corresponding to this division are by no means equal in merit, nor are they either clearly separated or welded into a compact whole. The first two chapters—on the probable origin and the probable early development of government—are more or less theoretical, and so are more distinctly the last four, on forms and functions of government. This postponement of the inquiry into the general nature of government is, perhaps, hardly logical, and involves some repetitions; the historical portion begins, in the third chapter, with the governments of Greece and Rome. Chapters follow on Roman law, on medieval Teutonic polity, and on the institutions, medieval and modern, of France, Germany, Switzerland, Austria, Hungary, Sweden, Norway, England, and the United States. The greater part of these chapters consists of an elaborate description of the institutions, both central and local, now maintained in each of these countries. Criticisms as to the tendencies of these institutions are sometimes added to the descriptions.

The theoretical portion is not marked by great originality, and shows more conspicuously than the other parts the faults which detract from the value of the work, especially a tendency to rhetoric and verbosity, an habitual over-statement of the views taken from some recent writer, and an inclination to slur over difficulties. In the historical chapters, especially those dealing with ancient history, the author is evidently not quite at ease, and we find numerous over-statements, misleading remarks, and the uncritical adoption of doubtful theories. Thus Solon is said to have remitted the debts of the Athenians, and the parties of his time are assumed to be the same as those of the next generation. Curtius's theory of the Trojan war is taken as if proved. Clisthenes is said to have 'put aside the old family unions altogether.' Aristides continues to figure as the typical conservative. The institution of *nomophylaces* is assumed to form part of or immediately to result from the reforms of Ephialtes. King Servius is said to have summoned plebeians to the Roman senate. The tribunes of the plebs were at first 'elected not by their own order, but by the comitia curiata, the exclusive assembly of the patrician curies.' The approaching downfall of the Roman republic is assumed to be visible immediately after the equalisation of the orders. Octavian (Augustus) is called Octavius. In medieval history we have King John stated to be the first

who officially took the title of king of England. In France we have mention of the 'sustained capacity of a family of Capets.' In the sketch of French political history extraordinary leaps are made, and there is no mention of the political results of the hundred years' war. Similar inaccuracies or deficiencies in the accounts of older constitutions might be quoted in large numbers, but it would hardly be fair to dwell on them, seeing that the author has given so much more time and attention to the elucidation of modern constitutions. They furnish however a warning of the straits to which history must be reduced if entirely subordinated to political studies.

The detailed descriptions of the most important governments of the old and new world meet a want distinctly felt by students of recent history. If not always readable our author is generally clear, and his arrangement is very convenient for reference. As might be expected, a good deal of space is given to American institutions, which are described if with national pride yet not without candour and discrimination. In the accounts of European constitutions we might wish that titles and institutions had, for the sake of clearness, been always expressed in their original name even when there exists an English equivalent. Perhaps, in the description of the French chambers, we might expect a few words on the functions of the chairman of the chamber of deputies. It is to be regretted also that, though as a rule he endeavours to be judicious and impartial, the author does not, in one or two places, keep quite clear of the arena of political conflict.

The language and style of the book will repel many readers who might else derive instruction from it. We have such expressions as 'the survived fittest,' 'development had hurried it rapidly away from its early form and character,' 'antique' in the sense of *ancient*, 'antipode' as the singular of *antipodes*, 'Greek settlements . . . completely swallowed and assimilated by Roman organisation,' 'education, &c. . . have assured a thinking weight to the mass of the people.' Nevertheless, to many engaged in education, we have no doubt that the work will prove to be what the author calls 'the right sort of a text-book.'

ALICE GARDNER.

The Jews under Roman rule. By W. D. MORRISON. 'The Story of the Nations.' (London: Fisher Unwin. 1890.)

THE period treated in Mr. Morrison's book is in many respects one of the most stirring in the records of the Jewish nation. They had been conquered by the greatest empire of the world, after having regained their independence under the courageous Maccabean dynasty, crushed, trampled on by the Roman procurators and soldiers, but not annihilated, and much less assimilated. What was the great factor which stimulated them to such continual and utter resistance? Nothing more and nothing less than the idea of the expected Messiah who should miraculously restore the Jewish nation to its departed glory. And this idea wrought, although in another form, the destruction of the strongest empire ever known. No new documents, except a few inscriptions which concern more the Romans than the Jews, have come to light since the volumes of Professor Graetz and

M. Derenbourg were written. Still Mr. Morrison's account of the history of the Jews from 164 B.C. to 135 A.D. is well done, fluently written, and trustworthy, since he freely makes use of the best sources. He has divided his book into two parts, first, Roman rule, and, secondly, the structure of Jewish society under Roman rule. With the subject of the politics of Rome, by which it gradually became master of the Mediterranean states, most of our readers are well acquainted through Mommsen's great work; not so for the second part, with regard to which, although it is well worked by Professor Schürer in his 'History of the Jewish People in the Time of Christ' (the English translation of which is partly out), still outsiders cannot be asked to read through three huge volumes for the sake of becoming acquainted with rather a theological than an historical subject. This they will learn more easily from Mr. Morrison's second part. He begins with a description of the Sanhedrin or the supreme national council; then follows an account of the temple and the synagogue, which coexisted side by side, and of the law, its traditional interpretation and teaching in the rabbinical schools by the scribes, who were termed later the wise men, and finally the *rabbanim* or the rabbis. Special chapters are devoted to the three sects, the pharisees, the sadducees, and the essenes. The reader will also find a discussion of the influence of Hellenism upon the Jews, and how much they adopted of the Greek language. The last point is important in reference to the question whether Christ and the apostles taught in a Hebrew dialect or in Greek. In another chapter with the title of 'The People' Mr. Morrison tries to determine how much the population of Palestine was purely Jewish, or mixed, or completely Greek. The idea of the Messianic hope is well developed by our author, who shows why the Jews hated the Romans more than their previous conquerors, the Persians, the Macedonians, or even the Syrians, and why they considered it more sinful to pay taxes to the Romans than to their predecessors. The chief reason of it was, most likely, that the more the Messianic hope became popular and almost a fundamental article of creed, the more strangers were hated by the Jews, who would alone participate in the Messianic kingdom. Perhaps another reason was that the Romans exercised a more centralising administration than the former rulers, and left to the Jews only the minimum of self-government, viz. in their temple, synagogues, and schools only. The weakest chapter in Mr. Morrison's book is, in our opinion, the last, viz. 'The Jews Abroad,' which is perhaps the publisher's fault, who would not allow more than the conventional four hundred pages. The subjects of the illustrations, which are numerous, are very well chosen, and by themselves give a value to the book.

A. NEUBAUER.

Histoire des Institutions Politiques et Administratives de la France.
Par PAUL VIOLETT. (Paris: Larose et Forcel. 1890.)

IN a volume containing 464 pages, each chapter of which is supplemented by a copious bibliography, M. Viollet has given us the history of French institutions from Brennus to the feudal lord. M. Viollet is particularly fortunate in the occasion of his work, and it is another piece of good fortune that the work has found so accomplished and well-tried a scholar

as M. Viollet to take it in hand. The fact is that the history of French institutions has never really been written. In the last century it was treated with so much political bias by Boullainvilliers and Dubos that even Montesquieu is unsteady and fails to hold the balance even. In the present century the subject has received the attention of Lehueron, Tardif, Fustel de Coulanges, and Waitz. The first-named scholar contributed an important chapter on Merovingian taxation, and did much to fix men's attention on the persistence of Roman institutions after the barbarian invasion. Tardif's work is unfortunately a fragment. His predispositions prohibited Fustel de Coulanges from giving an unbiassed judgment, while a conscientious desire to see nothing but the original text precluded him from making use of the numerous monographs which in the last fifty years have been throwing light on all quarters of the subject. Waitz was excluded by the items of his task from Gallo-Roman times, and this circumstance, in spite of the author's great learning and candour, tends to leave on the reader's mind a slightly defective and one-sided impression. There was therefore room for a book which should travel over the whole field, Celtic, Gallo-Roman, Merovingian, and Carolingian, by the focussed light of the last condition. M. Paul Viollet has written such a book. He has not only critically consulted many of the original sources for the vast period with which he deals, but he is ready to give his opinion—and it is always a weighty one—upon the results of all the special controversies which cluster so thickly round the origins of the medieval world. Indeed, his anxiety to leave no disputed question unsettled sometimes arrests him over minutiae in such a way as to break into the unity of his story. But the sacrifice of art is more than compensated by the gain to science, and the lacunae can easily be filled in by a perusal of Waitz's second volume. As an index to historical literature M. Viollet's book is invaluable, and it puts the reader in immediate and full possession of all the facts which are really worth knowing about the political institutions of France. It comes at the end of an active period of critical research, and wears the air of ripeness and finality which attaches to works of sober synthesis for which the soil has long been prepared.

Beginning with an assumed Celtic monarchy in the fifth century B.C. (the hypothesis is that of M. d'Arbois de Jubainville), M. Viollet gives in a highly condensed form the main facts known or inferred about the Celtic institutions of France and the constitution of Marseilles. When Caesar conquered Gaul, he found the Celts in a comparatively advanced state of civilisation, more advanced, for instance, than the Germans of the same date. They possessed a sufficiently mature political organ in the Senate, and a rudimentary distinction between political and civil functions. The Celts were, however, unable to preserve any important feature of their independent life under Roman rule, and after the rebellion of Gabinus we hear of no further efforts to win Celtic independence. The great meeting of the Gauls on 1 August at Lyons was probably engrafted on the feast of Lugus, the Celtic Mercury, who was honoured by Irishmen of the same date with horse-races and other forms of devotion at Carman, Taitien, and Cenachar. This concession, however, was but a convenient mode of concealing change, and brought no others in its train. The civilisation of the inferior race was quickly submitted to powerful dissolvents. The primitive

economy of the Gaulish family was broken up by the rapid spread of Latin and Roman rights, which individualised the personal status of the members of the clan, and changed the conditions of land tenure. The city absorbs the *civitas*, and the history of Gaul becomes that of its municipal governments. In the decay of this Gallo-Roman civilisation, we seem to find the French history of the last century rehearsed. There was an increasing gulf between rich and poor, a growth of large landed property, a withdrawal of labour from the country districts, an iniquitous load of taxation, and a widening circle of exemptions. At the same time the municipal constitutions were contracted, partly owing to economical causes, partly owing to the influence of Christianity which discountenanced the pagan rites with which municipal functions were associated, and partly owing to the fiscal policy of the Empire, which converted the *curia* into a responsible syndicate for the collection of taxes. The *decurions* were unable to live in the country; their office was for life and eventually hereditary by compulsion. They were forbidden the free alienation of their property, and in time the different avenues of escape through senate or clergy were obstructed or closed. The fiscal devices of the Roman Empire (borrowed, thinks the author, from Egypt) were aggravated by a serious depreciation of the coinage, and by a law of maximum (A.D. 301) which led to the revolt of the *Bagaudae* and left Gaul in the ruin described by *Salvian*. It was too late to redress the balance by special taxes levied on the wealthy, the *collatio glebalis*, the *aurum oblativum*, the *oblato votorum* and the like, or by galvanising into life a new national assembly in 418, after a practical lapse—for *M. Viollet* thinks that the senate of *Posthumus* probably effaced the assembly at *Lyons*—of some one hundred and fifty years. The extension of patronage towards the end of the Empire, in spite of the efforts of the government to check it, and the appearance of the *defensor* as the imperial counter-move, show clearly that protection came not from the East.

The barbaric invasion or rather infiltration is very judiciously sketched. Indeed, the author avoids the temptation of suggesting an etymology for *Laeti*. From the reign of *Tiberius*, German auxiliaries were established on the frontier, and during the fourth and fifth centuries military and agricultural settlements of barbarians are found all over Gaul. The great oppression of the Roman government gave birth to a sympathetic union between German and Gallo-Roman, traces of which are to be found in the ephemeral empire of *Magnentius*, and the poems of *Commodian*. The fifth century brings with it the great barbarian invasions, and the vexed question of the partition of lands. *M. Viollet* here restates the views of *MM. Caillemer* and *Julien Havet*, according to which the settlement of the *Burgundians* and *Visigoths* on the conquered lands was conducted on the principles of the Roman '*hospitalitas*,' and something of the same kind seems to have happened with the British invasion of *Armorica* in the middle of the fifth century. There too the invaders were received with open arms, and offered a part of the lands, which had been emptied of their population by the *Saxon pirates*. The Frank invasion on the other hand is not followed by any partition; at least none is recorded. The invaders brought with them much that was essentially German, but in spite of that much remained standing from Roman times. The system

of taxation during the Merovingian and Carolingian times illustrates the combined action of the contending principles. The 'dona' offered at the field of March are German, the land tax and the tolls obviously Roman. The old administrative divisions were preserved, and probably governed in much the same manner. The character of the kingship was, however, entirely Teutonic, and here M. Viollet offers some valuable and original remarks on the rôle of the people at the royal elections, on the nature of the royal rights and on the law of succession. On the subject of the national assemblies under the Franks, his views are moderate and more reasonable than those of Fustel de Coulanges. That writer had seen nothing in the Field of March but a military review in which the great people of the kingdom were severally attended by a numerous following. The difficulty of such a view lies in the fact that the free assembly is found in Tacitus on the one side, and under the Carolingians on the other, and is directly mentioned halfway in the *Decretio Childeberti*. M. Viollet is ready to admit that the dispersion of the Franks in Gaul gave the assembly an aristocratic character, and that the prestige of the early Merovingian kings reduced it to practical insignificance, but that it ever entirely disappeared he does not believe.

The two great social currents of Merovingian times are (1) the transformation of a body of royal officials into a territorial nobility and (2) the gravitation of all the lower classes of society towards the status of villenage. For Germany the first process was, as Waitz shows, helped by the survival of the old nobility of blood, but in France this influence was never operative. The dukes and counts are never anything more than officials, generally nominated by the king, but sometimes, it would seem, by the bishop and the people. The lower provincial hierarchy, vicarius and tribunus, are certainly nominees of the count, the centenarius was possibly elected but never powerful. There were thus no strong local liberties to resist the pressure of officialism from above, and when the counts in the seventh century became exclusively selected from among the landed proprietors of the civitas their office as count and their position as country gentlemen became insensibly merged into one. This evolution can be traced clearly in the field of jurisdiction. It is a legitimate inference from several capitularies (e.g. those of 769, 805, 819, 823)—an inference, however, which Fustel de Coulanges declined to make—that the mallus was originally attended by all the freemen of the hundred. But as a matter of fact the tribunal was generally composed of a board of *rachinburgi* or *boni homines*, and in the eighth century these, or rather the *scabini* their successors, were chosen by the count with the assent of the people. There was thus a progressive loss of liberty, partly no doubt owing to the increase of business, and partly, suggests M. Viollet, owing to the infusion of Roman principles into the barbaric laws. We may here remark parenthetically that M. Viollet adopts a suggestion from M. Kovakski that the number seven, which is so noticeable in the seven *rachinburgs* and the seven *scabini*, is 'le nombre sacramental des arbitres primitifs.' Waitz's hypothesis that the seven are the majority of a previous twelve is unnoticed, though supported by a passable quantum of evidence. M. Viollet has, however, a very interesting hypothesis about majority votes which, no doubt, he will seek to verify by additional evidence in a future edition of this work.

He holds that in primitive assemblies the majority vote was unknown, and that absolute unanimity was necessary to carry a resolution. The difficulty of establishing such a proposition lies in the fact that if its opposite were true, the greater number of texts would give the same report, since, the more the majority principle is acknowledged, the less necessary is it to notice the presence of minorities. A chronicler may very well state that a motion was carried *omnium consensu*, if it is an axiom that the assembly as a whole adopts the view of its majority. If, on the other hand, a number of instances can be brought forward in which a small minority arrests the adoption of a motion the point is proved.

The growth of villenage and the unification of the numerous and perplexing distinctions of personal status which meet the eye at the beginning of the Frank period fall outside the main scope of M. Viollet's subject. We are, however, treated to a concise survey of the formation of feudal France under the following four headings: 1. *Subordination de l'individu à l'individu (seniorat et vassalité)*; 2. *Subordination de la terre à la terre (régime des fiefs)*; 3. *Organisation militaire fondée sur cette double subordination*; 4. *Hérédité et transmissibilité des charges*. The crucial point, according to our author, who here follows Brunner, in this development, is the struggle of Charles Martel against the Saracens. It was then that the need of a cavalry army was first felt, and that the military system, which we are apt to consider the core of feudalism, was engrafted on that complex of relations, part personal, part territorial, which had begun to weave itself together in the last days of the Roman empire, and was created by the need for personal security on the one hand and guaranteed services on the other. In the formation of this hierarchy the personal union of senior and vassal is the first step—we see its fragility in the Visigothic *buccellarii*, and the system is not solidified until the hereditary transmission of benefices becomes the rule, a change which was long in being accomplished and was not all-pervading even in the eleventh century.

The volume before us is so thick with new suggestions that it is difficult to select. We may note, however, that M. Viollet considers that the extension of the term *vassus* to the upper classes of society may be attributable to that spirit of Christian humility which led the Pope to style himself *servus servorum Dei*. The author's remarks on the *Roi par la grâce de Dieu* are, as far as we know, original, and throw an important side-light on the Carolingian monarchy. As to the vexed question 'Were the Franks taxed?' M. Viollet holds that they were on occasions, but that they obviously resented the process, and this view is a more natural interpretation of Greg. Tur. iii. 36, v. 29, than that offered in 'La Monarchie Franque.'

H. A. L. FISHER.

The Text of the Bruts from the Red Book of Hergest. Edited by J. RHŶS, M.A., and J. GWENOGVRYN EVANS. (Oxford: issued for subscribers by J. G. Evans. 1890.)

THIS beautifully printed volume contains the text of what may be called the historical part of the famous Red Book—to wit, the Welsh versions of Dares' Phrygius, and Geoffrey's *Historia Regum Britanniae*, the

Brut y Tywyssogyon or Chronica Principum Walliae (680–1282), the *Brut of Sayson or Chronica Saxonum* (800–1382), with the late tract which begins: ‘O oes Gwrtheyrn Gwrtheneu,’ and the ‘List of the Cantreds and Commotes of Wales.’ There is, further, a good preface by Mr. Evans, giving account of the existing MS. of the Welsh text of Geoffrey, Dares, and the two Bruts, and an introduction to Geoffrey by Professor Rhŷs touching on several important points in his legends and language. Some palæographic notes, and a full and careful index follow the text, and with a subscribers’ list complete the volume. The facsimiles are taken from the Red Book, Hengwrt 15 and 536, and B.M. add. 19709. They form a useful addition to the specimens of Welsh script furnished in past volumes by Mr. Evans. It is an excellent thing to possess a faithful text of such an historic monument as the ‘Princes’ Chronicle,’ and both historian and philologues have reason to be thankful to Mr. Evans for the patriotic enterprise he is so successfully carrying out. He should meet with warm support not only in the Principality, but also in England. We look to Professor Rhŷs and Mr. Evans for a definite text of Geoffrey’s great work and a critical discussion of its sources, and hope that the promise of an edition of the Bern MS. thereof may be speedily fulfilled. It is strange that a book of such exceeding value, one of the main sources of Aryan mythology, a book which has made a deep mark in the history and literature of Western Europe, and has inspired Spenser, and Shakespeare, and Milton, not to speak of scores of lesser and later poets, should not have appeared ere this in the Rolls series. Yet one is glad that the editing of it should have fallen to such scholars as Professor Rhŷs and Mr. Evans. It is a positive duty for students, whether of history, language, or literature, to give such a series as this of Old Welsh texts the heartiest encouragement both by purse and pen. It is no longer possible for a nation to neglect history with impunity.

F. YORK POWELL.

Chartularium Universitatis Parisiensis. Sub auspiciis Consilii Generalis Facultatum Parisiensium ex diversis bibliothecis tabularisque contulit HENRICUS DENIFLE, O.P., in archivo Apostolicæ Sedis Romanæ Vicarius, auxiliante AEMILIO CHATELAIN Bibliothecæ Universitatis in Sorbona Conservatore adjuncto. Tom. I. ab anno MCC usque ad annum MCCLXXXVI. (Parisiis: ex typis Fratrum Delaland. 1889.)

SOME curious reflections might be suggested by the fact that the centenary of the French revolution should have been celebrated by the publication, at the expense of the French republic, of a magnificent tribute to the memory of one of the greatest institutions which that revolution destroyed, edited by the Dominican archivist of the Vatican with the assistance of the librarian of the now secularised ‘Sorbonne.’ I will content myself with hailing the event as an indication that learning has now become a common ground upon which political and religious differences are forgotten and upon which men of the most conflicting views may meet in cordial co-operation. Something more than the furtherance of historical knowledge may, however, be the possible result of the increased interest which is now being felt in the study of this particular institution of the

ancien régime. The stamp which heads the prefatory notice, with its inscription *Université de France, académie de Paris*, reminds us that technically the university of Paris has ceased to exist; but the notice itself speaks of the *Consilium generale facultatum Parisiensium, duodevicesimo die mensis Decembris, anno MDCCCLXXXV, decreto institutum, quo in Francia universitates quasi de instauratae sunt et relectae*. We trust that the separate and distinct universities now represented by the various 'academies' may soon be recalled into virtual and not merely 'quasi' existence.

A very few words will suffice to point out the historical importance of the present work. The great '*Historia Universitatis Parisiensis*' of Dr. Boullai has hitherto been the chief storehouse of documents relating to the university; but, immense as was the mass of material collected by that laborious compiler, his editing fails to meet modern requirements. His transcriptions were not always to be trusted: sometimes documents had been deliberately tampered with in the cause of historical error by himself or others; bulls were referred to wrong popes, and so on. Finally, the collection was by no means exhaustive. Jourdain, in his '*Index Chartarum pertinentium ad Historiam Universitatis Parisiensis*,' printed many new documents and corrected some of Du Boullai's errors, but still the collection was very far from complete. The present editors are re-editing from the original manuscripts all the documents already printed by Du Boullai, Jourdain, and others, and supplying the lacunae left by their predecessors. A very large number of most interesting documents appear now for the first time. The work consists of two parts, '*Pars Introductoria*,' consisting of letters, bulls, and other documents relating to the schools of Paris before 1200 A.D., *i.e.* before the first official recognition of the university as such. The greater part of the volume is taken up with the ample series of charters, notes, statutes, &c., which begins with the great privilege of Philip Augustus in 1200 A.D. It is difficult to give the reader a just idea of the pains, the accuracy, and the learning exhibited in this volume. The magnitude of the task which Father Denifle and M. Chatelain have undertaken may be estimated from the fact that the present ample quarto of 649 pages brings them down to 1286 A.D., this earliest period being, of course, the one in which documents are scantiest. But their work is not limited to the mere transcription of documents. Allusions are fully explained in the notes in every case; all the known manuscripts or printed copies of the document are recorded; in many cases several manuscripts have been collated and variants noted. We sincerely congratulate the learned editors upon the accomplishment of this first instalment of their great work. When it is remembered that Father Denifle but a few years ago completed the first volume of his great '*History of the Universities in the Middle Ages*,' that four volumes more of this work are promised and presumably on the stocks, that every year sees the publication of several numbers of the '*Archiv für Kirchengeschichte des Mittelalters*,' replete with newly printed documents and learned dissertations, of which Father Denifle and Father Ehrle are not merely the editors but the sole contributors—our amazement at Father Denifle's learned labours rises to the point of bewilderment.

We wonder how long it will be before Oxford has a cartularium worthy

of its position among the historic universities of Europe. If we wait till Oxford grows a Denifle we shall have to wait a long time; but it ought not to be impossible for a combination of workers to do between them what has been attempted by one German and one Frenchman. In the present volume we may see a model of the way in which the thing should be done. No university in the world except Paris has such a wealth of materials for its history; there is probably hardly a university in the world in which so small a proportion of the materials have been printed.

H. RASHDALL.

Chronicon Henrici Knighton monachi Leycestrensis. Edited by JOSEPH RAWSON LUMBY, D.D., Norrisian Professor of Divinity in the University of Cambridge. Vol. I. (London: published under the direction of the Master of the Rolls. 1889.)

PROFESSOR LUMBY has made a most unfortunate departure from the practice of editors for the Rolls series. It has been understood that the editor's duty is not merely to print the text of his chronicle, but to investigate its sources as well, and to indicate by the use of smaller type all that which his author has directly borrowed from previous writers. Dr. Lumby, however, has almost entirely divested himself of this responsibility. He seems to be of opinion that there was only one chronicle of which a writer of Knighton's time could conceivably make use, and that this chronicle was the huge work of Higden which he himself edited in nine volumes, a fact which perhaps explains his knowledge of this one source of information. Everything therefore which Knighton takes from Higden is duly printed in small type; for everything else, we are led to infer, Knighton is to be regarded as an original authority. It is true that Dr. Lumby promises ambiguously to discuss 'the sources from which' the chronicle 'is edited' in his second volume; but it is not right that an editor should wait until he has done printing to make the discovery that most of his first volume ought to have appeared modestly in the small type indicating that hardly any part of it has the smallest independent value. We do not profess to have examined the whole of the book with the view of ascertaining the materials of which it consists; but we have compared some sections of it with Walter of Hemingburgh, and we give the results. From the sixth line of p. 177 to the middle of p. 197 everything which is not taken from Higden is quoted word for word from Hemingburgh, with the exception of five lines on p. 185 and two clauses on pp. 185-186, which are inserted on a separate slip in the better of the two existing manuscripts of Knighton. Even the marginal headings are in almost all cases borrowed from Hemingburgh. The same is true of the whole narrative from the middle of p. 199 to p. 207, with the exception of a short paragraph on 204; of the whole from p. 225 to p. 267 and from p. 291 to p. 298; of the documents on pp. 300 f., 308-311, 324 ff., and not the documents only, but also connecting passages, with all that follows from p. 326 to p. 331, excepting a few lines abridged on p. 330. It is needless to pursue the comparison further. We have mentioned only such passages as are borrowed textually; if we had included those which are adopted in substance the list would have been largely extended. And we have referred

only to Hemingburgh among the various sources accessible to our compiler. For example, the laws of William the Conqueror, which, with the introductory paragraph, are simply quoted from Roger Howden, are here printed in large type (pp. 78-86), with a note that they may be found in the appendix to Whelan's 'Beda' and in Wilkins; their direct source is not even suspected. Our complaint therefore is that Dr. Lumby has neglected the first duty of an editor by not making the least attempt to track the originals incorporated in his text: in consequence of which he wastes a great deal of space; he deludes the unwary reader into imagining that he has a new narrative before him, when in fact it is a verbal transcript of something already well known; and he prevents the student from noticing at the first glance that which is derived from sources otherwise unknown to us. More than this, he loses a means of correcting, at least in footnotes, blunders in his text, which could not have been passed by had the editor been cognisant of their original. Thus, *verumque* (p. 203) should, as the construction requires, be *verum quia*; for *unirent* (p. 240) we should read *unirentur*; and the absurd *suscitavit bellum dominus episcopus Christianorum contra Saracenos* (p. 257) requires the simple correction *suscitavit dominus spiritus Christianorum contra Saracenos*. All these readings are found in Hemingburgh. Everywhere we see that difficulties have no existence for our editor. Why should not Henry II's daughter Matilda be described as *ducissa Oxoniae* (p. 155)? If Dr. Lumby has taken so little pains with his text—and we could give instances where he has even added to the mistake of his predecessor, Twysden—it is not to be expected that his notes should be much better. The marginal analysis contains many curiosities. Against an account of William Rufus it is noted, p. 110, 'His character not good.' The journey of Philip Augustus to the Holy Land is called, 'The return from the Crusade' (p. 161). The surrender of Northampton Castle is placed at Nottingham (p. 243). Where dates are wrongly given in the text, they are scrupulously repeated in the margin; thus the Lateran council of 1215 is given as in 1213 (p. 193); and sometimes the editor inserts false dates of his own, placing for instance the statute of Marlborough in 1266 (p. 257, n. 3) instead of 1267, and actually incorporating a false regnal year (within brackets) into his text. Dr. Lumby has also repeatedly transgressed the limits with respect to footnotes enjoined upon editors in the Rolls series by the lords of the treasury.

REGINALD L. POOLE.

Litterae Cantuarienses: The Letter Books of the Monastery of Christ Church, Canterbury. Vol. iii. Edited by J. BRIGSTOCKE SHEPPARD, LL.D. (London: Published under the direction of the Master of the Rolls. 1889.)

IN this volume Dr. Sheppard completes his edition of the letter books of Canterbury Cathedral, the first two volumes of which have been already noticed in the *ENGLISH HISTORICAL REVIEW*, vol. iv. p. 561. Its contents range from 1375 to the period of the dissolution of the monastery, the rule of the Rolls Series that nothing be printed after 1509 having been

specially relaxed to enable Dr. Sheppard to complete his work at its natural close. An appendix of documents from other sources than the letter books is added, and a fairly full though not quite complete index is given to the three volumes.

The contents of this volume are very similar in character to those of the two preceding ones, and the editor's work shows just the same merits and defects. The majority of the documents have no great political interest, though some public matters of importance are incidentally illustrated. Archbishop Arundel's letter in his exile from the 'earthly paradise near Florence,' vaguely hinting to his chapter of the prospect of better times to come; another letter of Arundel's throwing important side lights on the abortive conspiracy against Henry IV in January 1400; and a letter of Charles VII relating to the treaty of Tours, may be quoted as examples. Among the matters of more domestic interest may be noted the interesting letter of an old student of Canterbury College, Oxford, who had got a place at the monastery (p. 334), an anonymous love-letter and its reply (p. 304), and the curious correspondence about the 'wine of St. Thomas.' The convent got a new grant of this wine from Louis XI, who sent them wine from Bordeaux instead of the inferior wine of Poissy that the monks had previously received. Dr. Sheppard notes that while the monks had been used to sell in France the 'acerb beverage' from the north, they carefully brought over for their own cellars the more generous growth of the south. Much light is thrown in the letters on the growth of chantries and the extension of parochial foundations into colleges of secular priests.

Dr. Sheppard's prefaces often usefully illustrate his texts; but he is at his best when he avoids general history. For example, after quoting on p. xxiii. *Quentin Durward* to prove that Louis XI was in the habit of wearing images of saints in his hat, he adds, 'The editor has not been able to trace in the French historians of the date any allusion to his adoration of the saints so worn.' He would have found, if he had looked in so common a book as Martin's *Histoire de France*, vol. vii. p. 153, a quotation from Claude de Seissel, which is perhaps better authority than the statement of the great novelist. A similar want of general acquaintance with history will doubtless account for Dr. Sheppard misdating the letter of Charles VII already referred to. He assigns this letter, which alludes to the truce of Tours, the mission of Suffolk to Lorraine, and the proposed voyage of Margaret to England, to 1443. The right date is of course 1444. A bad mistranslation of the French text, on p. 179, obscures to the English reader the fact that the treaty of Tours had been already concluded. Many of Dr. Sheppard's marginal summaries are really notes, as, for example, those on pages 70 and 73. If all place names had been indexed under their modern forms reference would have been easier. It is rather fantastic to index the Welsh Tintern (often called Tyntern or Tinterne by Dr. Sheppard) under the Irish estates of Christ Church. Yet such slips impair but little the main value of Dr. Sheppard's solid and useful piece of work.

T. F. Tout,

The Life of Lord John Russell. By SPENCER WALPOLE. 2 vols.
(London: Longmans & Co. 1889.)

FROM the beginning to the close of his career Lord John Russell was above all things a whig. His interest in politics began early, but hereditary whiggism determined his point of view from his cradle. In his thirteenth year he began a manuscript volume of verses with an ironical dedication to Pitt; soon after he wrote a political satire upon Lord Melville; at fifteen he was absorbed in a general election. Four years later, in 1811, we find him completing his education after the traditional fashion of the whig aristocracy by making the round of the great towns of the north, examining their different industries, and writing down voluminous descriptions of them in his diary. In these he drifts easily into the platitudes of his party. 'Our manufactures,' he writes, 'have a pre-eminence which none can dispute, and every machine we see . . . is a part of the glory and a source of the prosperity of England.'

After such a preparation for political life, the line that Lord John Russell took when he went into parliament in 1813 is not a matter for surprise. The sworn foe of political oppression and of the influence of the Crown, a champion of reform, a steady opponent of the whole policy of the Liverpool administration, Lord John at the beginning of his career differed from other whigs not so much in the nature of his ideas as in the activity with which he pursued them. His mind was furnished with the usual notions, but he was able to turn these to better account; and the influence of his political inheritance can be traced through the whole of his life. In the session of 1816 we find him, in an attack upon the army estimates, brandishing the ancient tory argument of the revolution period, long since appropriated by his own party, that a large standing army in time of peace is dangerous to liberty. Nearly half a century afterwards he defends revolution under extreme necessity in language which might have been borrowed from Sir Joseph Jekyll and the managers of the Sacheverell trial; while of his despatches on the Italian question in 1859-61 Mr. Walpole writes: 'They frequently read like political essays rather than official documents, and they commonly contain the doctrines, or, as hostile critics would say, the platitudes, of the whig creed.'

About Lord John Russell's connexion with reform his biographer has not much to tell us that is new. It is interesting to note, however, that after the reform bill was carried he strongly opposed the plans of further reform suggested by the radical party. Mr. Walpole finds among his papers a long dissertation on parliamentary reform, dated 1811, in which he urges (1) that reform should be accomplished *gradually*, by means of a series of bills and (2) that the first of this series should be a bill for triennial parliaments. Twenty years later he himself originated a reform bill which took the 'great and hazardous step' against which he had protested in 1811. But on the other hand he became, and remained for the rest of his life, a steady opponent of triennial parliaments, and looked with great distrust upon household suffrage and an elective House of Lords. For many years he regarded the act of 1832 as 'the permanent settlement of a great constitutional question,' and only change and time led him to abandon his doctrine of finality, and to busy himself once more with

projects of reform in 1851, 1854, 1860, and 1865. His abortive scheme of 1851 is specially interesting because its original draft contained a provision for the enfranchisement of *trades* as such. Various trades and professions were to be formed into guilds 'whose members should have the right to choose two or three of their number to vote at the election of a member for the borough in which they resided.' The plan was objected to in the cabinet and eventually dropped, never to be revived again. But the flavour of it is peculiarly whig.

It is evidence of Lord John Russell's practical sagacity that he was under no delusions concerning the actual effect of the reform bill of 1832. 'I always thought,' he wrote to Lord Melbourne five years after, 'that the whig party as a party would be destroyed by the reform bill. Their strength lay in certain counties and close boroughs; the tories, by the new constitution of the house, were sure to beat them in the counties and the radicals in the open towns.' His words were also true in a sense other than that in which he meant them, for another effect of the reform bill has been to make statesmen of Lord John's own type much rarer in the House of Commons. It was a pocket borough that brought him into parliament at twenty, and so secured him his wide experience. It was the smallness of the demands of old-fashioned electioneering that made it possible for a man so fragile to get through his political work. Electors claimed from their member only a pamphlet or two between whiles and a speech before a general election, and this Lord John could manage easily enough. But if to the strain of the Parliamentary leadership had been added the strain of a modern campaign, he must soon have disappeared from active politics into the serene obscurity of a peerage.

It is as a reformer that Lord John Russell has attained to political canonisation. Men of sixty still speak of him to the generation following, and always as the champion of reform. But the hereditary whig of the last generation was bound to be a reformer. There were plenty of them; they all used the same language and were full of the same ideas. Lord John was only abler and more active than the rest, and if he had failed the party there were others to take his place. If we want to appreciate his real strength and weakness we shall turn from an agitation in which he secured a commonplace success and won for himself a cheap immortality, to another kind of question, over which he failed, but failed gloriously. The touchstone of modern reputations is the Irish question. To this Lord John brought a clear-sightedness, patriotism, and self-sacrifice which deserved greater success, and more appreciation from posterity. We may venture to predict that when his life and times fall into focus hereafter, his claim to greatness will be found to depend not so much on the zeal and efficiency which he devoted to the obvious business of reform, as on the genius he displayed in planning great abortive measures for Ireland, and in laying the foundations on which his successors are trying to build. As early as 1826 Lord William Russell in a very serious letter had commended Ireland to his brother's care as 'a noble field of ambition and utility opened to a statesman,' and had urged him to earn 'the gratitude of millions, the applause of the world' by applying himself to a task which he vaguely described as the 'rescue' of the country. At the time Lord John's attention was absorbed by reform; but in 1832; when

reform was disposed of, outrages and a tithe war brought the Irish question immediately to the front. At this point Lord John failed to see any further than his colleagues. Like all whigs, he had been taught to believe that religious disabilities constituted the sole Irish grievance. Thus when catholic relief failed to effect any improvement in the condition of Ireland, he felt that he had lost his bearings. 'We are very busy with Church, slavery, and other matters,' he wrote. 'In England I hope it may be true that there is no wrong without a remedy; in Ireland all is wrong, and nothing a remedy.' To a man who thus despaired of the country, the benevolent half-measures of the whigs seemed judicious and safe. A temporary measure was proposed to deal with the tithe question; outrages were to be met by a coercion bill (which led Mr. O'Connell to speak of the whigs as 'base, brutal, and bloody'); religious grievances were to be remedied by a measure of church reform. But when the details of this last came before the cabinet for discussion, Lord John Russell, acting in concert with Lord Althorp, found himself objecting to the provisions of the bill because they did not go far enough. The bill proposed to abolish the annoying church cess and by the suppression of bishoprics and various economies in administration to create an Irish church surplus, which should be applied as the Legislature might direct. Mr. Walpole publishes an important correspondence between the premier and Lord John, from which it appears that he and Lord Althorp wished part of this surplus to be definitely diverted from church purposes and appropriated to the needs of Irish education, and that they insisted upon this point so strongly as nearly to break up the Grey administration. Lord John was only with difficulty induced to reconsider his intention to resign by the strong representations of Lord Holland. Thus, although a member of the cabinet which produced it, he found himself agreeing with Mr. O'Connell that the measure in its final shape, as it left the Lords, entirely failed to meet the real needs of the Irish question. This is the point in time at which Lord John began to forge ahead of his colleagues on the Irish question. How rapidly he was destined to travel along the road he had chosen, Mr. Walpole soon makes clear to us. The principal danger of Lord Grey's ministry was from internal discord, especially upon Irish affairs. The more conservative of its members, such as the Duke of Richmond, Sir James Graham, and Mr. Stanley, were strongly opposed to any measure which would have the effect of diverting to other purposes the property of the Irish church. Lord Althorp, Lord Durham, and Lord John Russell were convinced that the Irish question could only be settled by a measure of church reform in which the principle of appropriation should be frankly adopted. No two hostile parties could hold opinions more radically opposed, and the break-up of the ministry was only a question of time. But according to Mr. Walpole the time was determined by Lord John himself. When the Irish question was reopened in 1834 by the introduction of a tithe bill, Lord John could no longer be kept quiet. He broke out in a speech in favour of appropriation, which revealed the divisions in the cabinet and gave an opportunity for Mr. Ward's motion pledging the House to the principle. Before this the conservative section of the cabinet resigned, and Mr. Stanley accurately described the situa-

tion in his famous phrase 'Johnny has upset the coach.' The vacancies were filled, and the principle of appropriation was adopted by the reconstructed ministry, but the end was not far off. The misunderstanding between Mr. Littleton and Mr. O'Connell led to the retirement of Lord Grey, and the death of Lord Spencer deprived the House of Commons of Lord Althorp as leader. The only possible leader was Lord John, but the king 'could not bear John Russell,' and he was, moreover, determined that the Irish church should not be touched. He, therefore, dismissed the whigs in the autumn of 1834, and sent for the Duke of Wellington. To sum up a whole chapter of history—Lord Grey's ministry fell over appropriation, and it was Lord John Russell who insisted upon bringing appropriation to the front.

In his account of the interim ministry of Peel Mr. Walpole tells for the first time the secret history of the 'Lichfield House Compact' with O'Connell. The effect of his narrative is to exonerate Lord John from anything like treachery to his party; but Lord Grey and the old whigs could not tolerate any connexion with the Irish, and the experiment was not repeated.

As home secretary and leader of the House of Commons in Lord Melbourne's administration, Lord John Russell had a large share in determining the Irish policy of the government, for in those days the lord-lieutenant acted under the Home Office. In the department of legislation this was not conspicuously successful, for the wisdom of the Irish poor law act was questionable, the Irish municipal act in its final form was dictated by the opposition, and in the tithes act the government was obliged, after a hard fight, to drop the appropriation clause. But during Lord Melbourne's government the actual administration of Ireland was vastly improved. Under Lords Normanby and Morpeth, and Mr. Drummond ('the only official who has filled the post of secretary and given complete satisfaction to the Irish people') the 'Orange policy' of previous administrations was reversed, and Mr. Walpole claims a great part of the credit of this for the Home Secretary. And when Lord Melbourne fell, and Lord John found himself in opposition, his language towards the Irish was as generous and hopeful as his conduct had been when in power. In June 1843, in the debate on the Arms bill, he denounced the man 'who talks about the Saxons and the Celts, and endeavours to raise up feelings of embittered resentment by proclaiming an organic and natural difference between the people of England and the people of Ireland.' It is interesting to note in this connexion that for a time he advocated the abolition of the viceroyalty, and though in 1851 he renounced this idea in a letter to Lord Palmerston, he qualified his renunciation by adding 'I retain my opinion as to the impolicy of permanently retaining two separate governments in the British Islands.' It is a remarkable testimony to the vigour and independence of Lord John's mind that when the policy of appropriation finally failed, he should have sketched out a new Irish policy for himself which not only anticipated the teaching of at least one modern amateur politician, but also the principles of recent legislation. In 1844, when still in opposition, he committed himself to the policy of concurrent endowment, in the teeth of opposition from English nonconformists and Scotch presbyterians, as well as the mass of episcopalians in both England and

Ireland. Two years later, in the summer of 1846, he pointed out that the real Irish grievance is the land system. From this time concurrent endowment and land reform took the place of the lost appropriation clause in his mind; he developed them at leisure into a policy, and advocated them consistently during the rest of his life.

It has been usual to criticise Lord John Russell because he did not attempt, when he was himself prime minister, and the famine of 1847 afforded him an opportunity, to carry out the principle he had laid down in 1846, and pass a measure of land reform. An important correspondence with Lord Clarendon, printed in Mr. Walpole's seventeenth chapter, supplies material for his defence. In answer to Lord Clarendon's suggestion that the increase of crime that followed the famine should be met by giving the viceroy extraordinary powers, Lord John Russell advocates precisely those principles which, a generation later, were to become the foundation of a series of land acts. He suggests fixity of tenure, and the application of the Ulster custom to the whole of Ireland. But in the end circumstances were too strong for him; the condition of Ireland was too critical, the interests opposed to any interference with the land system were too many. In 1848 the Encumbered Estates Act was passed, but the principle of compensation was not adopted for another twenty years. In March 1848, we find Lord John again reverting to land reform and concurrent endowment, and proposing in a memorandum to the cabinet a bill to control evictions, and a land tax for the endowment of Catholic priests, but difficulties in the cabinet itself were too great, to say nothing of the house and the country, and the proposals were quietly dropped. In the autumn, however, he returned again to the charge, and went so far as to draw up a memorandum for submission to the pope, asking his co-operation in carrying a measure 'for making a provision by law for the Roman Catholic clergy of Ireland.' But the pope was now a fugitive from the Vatican, and the cabinet was too protestant to concur with its leader; so the scheme for a Roman Catholic endowment was abandoned for the last time. Forced by circumstances to evacuate his last strong position, Lord John took up new ground, and drew up a plan for relieving the congested districts of Ireland by state-aided emigration, but here he fell foul of the orthodox economists, and his proposal dwindled under criticism to the temporary 'rate in aid' of 1849. It is curious to learn from one of Mr. Walpole's quotations that both the principles adopted by Lord John in 1844-48 had been ripening in his mind for more than twelve years. In 1833 he had made a tour in Ireland, and on his return had written down his impressions, after his manner, under six heads. The fourth of these ascribes Irish distress by implication to rack-rents; and the fifth affirms the desirability of providing for the three religions of Ireland (the Establishment, Roman Catholicism, and Presbyterianism) 'by the State.'

Allow for the time, and this series of Irish failures is a marvellous record. The Irish Church question was not settled till 1869, but Lord John was advocating appropriation in 1832, and concurrent endowment in 1844. Control over evictions, compensation for improvements, fixity of tenure, Ulster tenant-right, the abolition of the viceroyalty and the assimilation of Irish to English administration, the relief of congested

districts by state-aided emigration—these are phrases continually in the mouths of the statesmen of to-day; but the ideas were thrown out by Lord John in the earlier half of the century. In his hands they all failed, for he was a generation before his time, and the aspect of the heavens was adverse.

To us, who are still entangled in the Irish maze, it is the Irish aspect of Lord John's career that is supremely interesting. It was in Irish affairs that the hereditary whig stepped out of the beaten track, for most of his suggestions were original, and foreign to the whig mind, as is shown by the opposition they encountered from the orthodox of the party. Mr. Walpole, without intending it, conveys the impression that in other matters, great as were his services, he was after all only a larger kind of whig—a whig of exceptional ability and vigour of mind, but as heavily weighted as the rest by formulas and traditional ideas. In foreign politics, in particular, he does not appear to have been very successful. His travels had made him more patriotic than the average man of his party, and he warmly supported Palmerston against his colleagues in 1840. Of this crisis Mr. Walpole gives an excellent account. But when himself prime minister he failed to control his strong-willed foreign secretary, and though, in his disputes with Lord Palmerston, Mr. Walpole shows him to have been generally right, it is difficult to avoid the conclusion that he was weak. Notwithstanding the coolness between them which the circumstances of Palmerston's resignation in 1851 had inevitably caused, they co-operated very heartily against Lord Aberdeen on the Eastern question, and Mr. Walpole makes Lord John directly responsible for the return of Lord Stratford de Redcliffe to Constantinople. While the cabinet as a whole was content to drift, his own views were for the most part as precise as Lord Palmerston's, though, unlike Lord Palmerston, he was not prepared to support the Porte against its Christian subjects. Mr. Walpole agrees with other writers in throwing the main responsibility of the Crimean war upon Lord Aberdeen, whose pacific attitude led the Czar to believe that England would not move. In fact, the constant differences between Lord Aberdeen and Lord John go very far to explain the outbreak of war. Peace might have been maintained either by the policy of Aberdeen or by that of Palmerston and Russell, but when they neutralised each other the result was hopeless weakness and vacillation. As our author puts it, 'while the Czar was irritated by the action he was encouraged by the language of the cabinet; for the acts were the acts of Lord John, and the voice was the voice of Lord Aberdeen.'

With regard to the management of the war, the same vicious differences were manifest. Lord John pressed upon the cabinet a scheme which he had long had in his mind for separating the departments of war and the colonies, and by this means effecting an important improvement in the machinery of war administration; but it was long before he could prevail upon Lord Aberdeen to adopt it. He was keenly sensitive to the mismanagement of the war, and Mr. Walpole prints in full his memorandum to the cabinet on the wants of the army in the Crimea. In November 1854, nearly a month before the meeting of the parliament that overthrew the Aberdeen ministry and brought Lord

Palmerston to power, we find him urging that Lord Palmerston should be entrusted with the war department as the only man, who 'from experience of military details, from inherent vigour of mind, and from weight with the House of Commons, can be expected to guide the great operations of war with authority and success,' and it was his retirement, thoroughly dissatisfied with the conduct of the war, that brought the Aberdeen ministry to an end. But vigorous and energetic as he shows him to have been, Mr. Walpole leaves in our minds a doubt whether he was reasonably loyal or fair to Lord Aberdeen. He was right and Lord Aberdeen was wrong, but the tension between them did nothing but harm, and Lord John's reputation suffers from the fact that he remained a member of a cabinet the influence of which he was indirectly doing so much to weaken. On the other hand, Mr. Walpole succeeds in completely exonerating him from the charges that were brought against him for his conduct at the Vienna Conference. On this point his memory is now fully cleared.

Lord John was scarcely more successful as a foreign politician in the latter part of his career. In the Schleswig-Holstein affair he used strong language, but when the critical moment came, he failed to support it by armed intervention on behalf of the integrity of Denmark. This change of attitude Mr. Walpole traces to a reasonable fear lest armed intervention should bring France into the field, and so 'throw the whole Continent into the crucible.' In the American war, on the other hand, his conduct was on the whole admirable. 'The perfect neutrality of England in this destructive war,' says Grote, 'appears to me almost a phenomenon in political history. No such forbearance has been shown during the political history of the last two centuries. It is the single case in which the English government and public—generally so meddlesome—have displayed most prudent and commendable forbearance in spite of great temptations to the contrary.' It will be a satisfaction to Lord John's admirers to learn that the escape of the *Alabama* was due rather to the native slowness of official procedure than to any personal negligence on the part of the Secretary for Foreign Affairs. Even after the vessel had got clear away, Lord John tried to arrange for her seizure in the first port she entered, and actually drafted a despatch for that purpose, but was overruled by his colleagues. He was throughout opposed to arbitration, and it is interesting to find him foretelling with so much accuracy in September 1865, the practical result of the Geneva Conference, in June 1872: 'The defect—the necessary defect—of the Convention or Protocol of Paris is that no impartial tribunal is provided. Buchanan said to Clarendon on one occasion: "We have no arbitrator to whom we can refer. We always used to refer to the emperor of Russia because he always decided in our favour. But now you have gone to war with Russia we must refuse arbitration." This was candid and true. I had no objection to refer to the Senate of Hamburg and to King Leopold the questions whether Peru owed a small sum of money to an Englishman, or whether English officers were sober and insulted, or drunk and insolent. On such trumpety cases nations used to make war, and will, I hope, make war no longer. But, if we were to refer to any such powers the question whether we were to pay five, ten, or twenty millions, I have no doubt the arbiter

would say, "England is the tyrant of the seas. She is very rich. Let her pay twenty millions. It will do her good!"

As a foreign politician, then, Lord John Russell, for all his pluck and vigour, was never conspicuously successful. In one department of foreign affairs, however, he did succeed; as a whig he was always in his element when maintaining the cause of 'oppressed nationalities.' When a boy of sixteen he had travelled in the Peninsula during the war, and at a time when Lord Grey and the official leaders of the whig party were denouncing the war, he displayed an enthusiastic faith in the Spanish cause, and 'the people's right to depose an infamous despot.' Twenty years later we find him bringing forward a motion in parliament 'for the express purpose of obtaining a more liberal form of government and a wider dominion for the new kingdom of Greece.' But these were only aspirations; achievement was to come thirty years later still. In 1858 the movement in favour of Italian unity entered upon its triumphant stage. From the beginning Lord John deluged the European governments with despatches in which he advocated, as strongly as diplomatic language would allow, the policy of 'Italy for the Italians.' When the restoration of Tuscany to its duke was talked of, Lord John urged that a representative assembly should be convoked in Tuscany, in order that the wishes of the people in favour of the autonomy of that country may be regularly and freely expressed.' He vigorously defended the conduct of Victor Emmanuel in the House of Commons by referring to the revolution of 1688 as a precedent, and treating him as a kind of William of Orange. He declared it to be the inalienable right of a people to choose its own sovereign, and insisted that the destiny of central Italy ought to be determined by solemn vote of the assemblies of the different states. And it so happened that the condition of the Italian question gave to the diplomatic utterances of England unusual weight. Napoleon could not afford to allow England to supplant him in the affections of the Italians, and thus her representations had the effect of checking the tendency he at first showed of conceding too much to Austria and disposing of the Italian states, as Lord John put it, 'as if they were so many firkins of butter.' The liberator of Italy was forced by Lord Palmerston and his foreign secretary, in spite of himself, to play the part of liberator to the end. The preliminaries of Villafranca were overruled, a free choice was secured to Tuscany and central Italy, and thus the first step towards a united Italy was taken and a 'northern kingdom' was established. Henceforth, as Napoleon had said, 'Italy was mistress of her own destinies.' The same line was steadily pursued by England when Garibaldi landed in Naples. It was suggested by M. Thouvenel on the part of France that France and England should stop his passage across the straits, but this was refused in language characteristically whig: 'If the navy, army, and people of Naples were attached to the king, Garibaldi would be defeated; if, on the contrary, they were disposed to welcome Garibaldi, our interference would be an intervention in the internal affairs of the Neapolitan kingdom.' And Lord John stood by Sardinia to the last. Though he incurred some hostile criticism by resisting the Italian designs upon Venice, lest this should bring France into the field against them, yet, when the high-handed action of Cavour brought upon him in the time of his greatest difficulty the hostile remonstrances of the other

great powers, Lord John at once sat down to write his famous despatch of 27 October 1860, in which he solemnly declared that 'upon this grave matter her majesty's government hold that the people in question are themselves the best judges of their own affairs,' and like a whig of the old school justified Garibaldi and Cavour from the precedent of 1688. Unfortunately Lord John's own phrases were skilfully turned against him in the affair of Savoy. When Savoy and Nice were ceded to France as the price of French assistance the precaution was first taken of silencing him by obtaining a popular vote from the Savoyards in favour of annexation to France.

Notwithstanding the success of his Italian diplomacy, it is a relief to turn from foreign politics, in which, at his best, Lord John was not great, to his career as colonial secretary, where the whig within him stirred him to high achievement. Mr. Walpole shows that his political opponents, as well as his friends, gave cordial testimony to his firmness and good sense in colonial affairs. He knew nothing of federation, and, like other politicians of the period, he looked forward to a time when our connexion with the colonies should be one of alliance only, but he had no sympathy with the school that depreciated their value, and was eager to lose them. One story quoted by our author suggests that under the whig exterior something of an imperialist was to be found: 'During my tenure of the colonial office, a gentleman attached to the French government called upon me. He asked me how much of Australia was claimed as the dominion of Great Britain. I answered, "The whole;" and with that answer he went away.' New Zealand dates its origin as a colony from Lord John's tenure of the colonial office, and the first important step towards the modern system of responsible colonial governments was taken by the Australia Constitution Bill, the principal legislative achievement of 1850, which was designed by Lord John himself, and carried through parliament under his direct supervision.

We now come, in conclusion, to the more personal aspects of Lord John's Russell's career; we turn from his achievements to look upon the man. It must not be forgotten that he was a man of profound religious convictions, which affected his public as well as his private life. This, his speech on the slave trade in 1850 and his characteristic despatch to Lord Cowley upon the conflict between the Greek and Latin churches for the possession of the holy places sufficiently show. His religious attitude influenced his political career mainly at two points. In the first place he was a strong protestant; in the second place, with his whiggism, he inherited from 1688 a traditional alliance with Dissent. He was bitterly opposed to the Tractarians, holding that Newman and Pusey were guilty of 'shocking profanation,' and thus in making ecclesiastical appointments he was at great pains to promote men who were opposed to the movement he thought so dangerous. This occasionally led him into difficulties, as when he appointed Hampden to the see of Hereford; but, as Lord Melbourne remarked at the time, 'Nobody ever did anything very foolish except from some strong principle.'

But the most interesting chapter in Lord John Russell's religious history is that which deals with his relation to the dissenters. In 1828 he carried the motion in favour of the repeal of the Test and Corporation

Acts. According to his biographer, 'he was the guiding spirit' of the cabinet committees appointed in 1835 to 'consider the whole case of the dissenters' and the English tithe system, and thus he is largely responsible for the Tithe Commutation Act of 1836. In the same year, to meet the wishes of the dissenters, he introduced bills establishing a civil registration of births, marriages, and deaths, and allowing marriages to be celebrated in nonconformist chapels. He also promoted London University with power to grant degrees without tests, and we learn from an important note of Mr. Walpole's that Lord John himself wished to go further, and abolish tests at Oxford and Cambridge. Of these measures Mr. Walpole says somewhat grandiloquently that in carrying them he might fairly claim to have done more to satisfy Dissent than any other statesman since the days of Nottingham. It is impossible to measure the extent to which successive whig governments have owed their tenure of office to the support of the nonconformists. It is certain, however, that to the time of his death Lord John Russell was a hero among them. Just before he died, when he was too ill to see them, a great deputation of leading nonconformists came to congratulate him on the fiftieth anniversary of the repeal of the Test and Corporation Acts.

Mr. Walpole makes no adequate attempt to draw for us a portrait of his hero. He is content to supply us with materials, and these are scattered through some thousand pages. One or two qualities stand out conspicuously in the story of his life. His pluck and personal courage were remarkable in one so fragile and delicate. 'He is a marvellous little man,' wrote Greville, after hearing him speak on the Canadian question in 1837, 'always equal to the occasion, afraid of nobody, clear in his ideas, collected in his manner, and bold and straightforward in his disposition.' His plucky fight in 1857 to retain his seat for the city of London, at a time when his reputation was at its nadir, will always be memorable in the annals of electioneering. His chief supporter predicted that he would only get two or three votes, saying that he had as much chance of being pope of Rome as member for the city of London. But when the time came he met his angry constituents, made them laugh by a charming speech, and turned almost certain defeat into unexpected victory. 'He is a gallant little fellow,' said Greville again, 'likes to face danger, and comes out well in time of difficulty.'

But this courage and dash were tempered in an extraordinary degree by the traditional moderation of whig statesmen. With the radical party he had no sympathy whatever. Enthusiastic reformer as he was, he never allowed his enthusiasm to blind his eyes to the advantages of compromise. His determination to regard the settlement of 1832 as final, which earned him his nickname of 'Finality Jack,' though it exposed him to the taunts of the radicals as a traitor to the cause of reform, and led to a great decline in his popularity which extended over some years, nevertheless secured for him in the long run the respect and confidence of moderate men of all parties. It would have been easy for so young a man to pose as an advanced reformer, to the increase of his immediate popularity, without damaging his ultimate prospects, and thus his resolute pursuit of moderation under difficulties is greatly to his credit. He was steadily opposed, as a matter of principle, to governments which

rested on the support of any extreme party. Even Mr. Greville admits that he was free from 'rash designs and extravagant projects.'

The versatility and independence of Lord John's mind have already sufficiently appeared. It was his privilege in his later years to enjoy the eternal youth peculiar to statesmen, but he was wise enough to enjoy it in retirement. 'On organic questions,' as Mr. Walpole tells us, 'he displayed, in his later years, an almost conservative dislike of extensive changes. . . . But on other matters his views enlarged with the increase of years. He displayed an unusual capacity, for an old man, to adapt himself to the conclusions of a younger generation; and on questions connected with the Church, with education, with the treatment of crime, with the management of finance, and with the freedom of commerce, he could act at eighty, as he acted at forty, with those who were in the van of the liberal party.' In particular, he was from the beginning a friend to education, and his scheme of 1856, with its conscience clause for evading the religious difficulty, would have anticipated in many points Mr. Forster's settlement of 1870. His literary activities were very various, though his works were for the most part 'not founded on original research but on other men's researches.' As a letter writer he was unrivalled. His communication to the thirteen bishops who remonstrated against the appointment of Hampden to Hereford is in his best manner, and his note to the Dean of Hereford, when he announced his intention of refusing to give his vote for Hampden's election, is an excellent specimen of the laconic style: 'Sir,—I have had the honour to receive your letter of the 22nd inst., in which you intimate to me your intention of violating the law.—I have, &c. J. RUSSELL.' His correspondence with his restive foreign secretary, Lord Palmerston, is very skilful and full of tact; and though Palmerston was too strong for him in the long run, Lord John managed to handle him for some time before he broke away.

His domestic life, described very pleasantly and sympathetically by his biographer, is singularly attractive. He found time amidst the cares of state to win the undivided love of his children, and to exchange charming verses with his second wife, and this was in spite of the ill-health which runs like a dark thread through the fabric of his life. In his diary, under date 18 Dec. 1803, when he was eleven years old, occurs the entry, 'I took a black dose this morning, so I did not go out.' This is only the first of a series. The sinister influence of this continuous ill-health is to be traced in Lord John's public career. His burden became at times greater than he could bear, his health was liable to give way gradually under the cares of office, when he would become dispirited, and lose his fighting power. At these times he grew very sensitive. Personal attacks irritated him, and he would become bitter. Thus the physical frailty of their leader would contribute in many indirect ways to the decline and defeat of the party he led. He was always on the point of retiring. In early life he would talk of giving up politics and going abroad; later, when he had become important, his friends would urge him to go to the Lords. His wife, in a letter written when he was about to take office in the Aberdeen administration, declared that the Foreign Office would kill him in six months. His physical defects prevented him from becoming an orator. His voice was poor, and he had an awkward manner. Men used to say that 'when he

placed his left elbow on the palm of his right hand, the house awaited a sentiment in favour of religious liberty.' His weak physique and delicate health explain also why Lord John Russell was such a bad party leader. His manner to his supporters was cold and repellent; he lacked personal magnetism, and ill-health prevented him from properly discharging those social functions which, under the English system, are so important to the union of a party. His coldness was of manner only. 'The popular idea of Johnny,' wrote Motley, 'is of a cold, cynical, reserved personage. But, in his own home, I never saw a more agreeable manner.' But nevertheless it did as much harm among his supporters as if it had been real. To the same source may be traced that *unevenness*, which is so often a characteristic of small and weakly men. Lord John's personality lacked the massiveness of Peel or Palmerston. When he was great, men thought him merely clever; when he was moderate, he somehow failed to inspire all the confidence he deserved. At times he was too reticent; at times he spoke out too plainly, and was too unrestrained. His eternal resignations, always withdrawn under pressure, produced among his colleagues the impression that he was sometimes weak, and thus, though the acknowledged leader of his party, he was not always at the head of the government. To the ordinary reader of his life, this does not seem altogether natural to his character, which was as strong and manly as it was simple and straightforward. Perhaps it was not the consequence of character, but of physique.

The volumes before us, though in the main biographical, contain also much that is of wider interest. The story of Palmerston's dismissal is told here more fully than elsewhere; there is also an excellent account of the fall of the Melbourne administration in 1841. Mr. Walpole leaves on our minds a very good impression of Lord John's father, the sixth Duke of Bedford, as a kindly sensible man, upon whom hereditary whiggism sat well. This is important when we recollect what an unfavourable view Mr. Greville takes of his character. It is curious to note also that evils now serious were beginning to raise their heads a generation ago. Lord John complains in 1848 that already within his own experience two great changes had occurred in the mode of conducting parliamentary business, for (1) a much larger number of questions had become government questions, and (2) 'measures of all kinds are now discussed by a much greater number of members.' In consequence, the time at the disposal of the government in parliament was no longer sufficient for its work. It is also interesting to find Lord John using in 1866 a phrase familiar to 1890—'The course of obstruction so openly followed by the opposition.'

Of the matter of Mr. Walpole's volumes it is impossible to speak too highly. He has had access to the best materials—an enormous mass of Lord John's own correspondence, including his letters to the Queen—and he prints for the first time some very characteristic letters from William IV. These materials he has used with conspicuous industry, conscientiousness, and fairness. The result is one of which even an historian of Mr. Walpole's experience may be proud. But to the reader there is something wanting, and the defect would seem to lie somewhere in the biographer's manner, or point of view. The volumes are a mine of wealth for some

future biographer to explore, but they do not themselves constitute the perfect biography. Mr. Walpole, overwhelmed with the abundance of his political material but without adequate personal material (for he did not know Lord Russell, who had few intimate friends, and left few private letters) has allowed the times to divert his attention from the man. We hear a great deal about what Lord Russell *did*. But even to the last page of the very necessary 'epilogue,' in which an attempt is made to gather up scattered impressions, we fail to understand exactly what he *was*. But, after all, perhaps Mr. Walpole can scarcely help himself, for the time is not ripe, and Lord John Russell's personality has not yet fallen into focus. It is impossible scarcely ten years after a great man's death to discuss quite dispassionately his relation to his times. The figure of the hero so lately lost must be modelled by his biographer on the heroic scale, and when the biographer is a man of a generation that has seen him alive and remembers him, many subtle influences conspire to make him see through a convex glass. Thus though Mr. Walpole's portrait is indistinct, it is at any rate a good deal larger than life. To his biographer, Lord John Russell is always the most important figure in the politics of the time. At twenty-four, after only three years of parliamentary experience, he makes him supply the opposition with their policy. In the sessions 1835-6 'the measures which were carried were precisely those which were entrusted to Lord John Russell's management.' In the chapter on the Crimean war, Lord Palmerston is chiefly important as somebody who agreed with Lord John Russell. Besides this, Mr. Walpole is very serious. In his anxiety to fully justify all his statements, he piles up his *pièces justificatives* till his readers feel as if they would be buried alive. The merest shanty of generalisation is provided with documentary foundations of the most massive kind. For instance when Lord John makes a good speech, Mr. Walpole will not let us off with the simple fact, but insists on printing several testimonials from contemporary statesmen to prove it. This is thoroughness carried too far. We yearn for greater simplicity and a lighter touch. We come of a frivolous and indolent generation, and Mr. Walpole's work is too solid for us. Yet, after all, he achieves his main purpose, for he makes us feel in our hearts more of his own enthusiasm for the high-minded, pure, unselfish statesman whose story he tells, than we quite care to confess. J. R. TANNER.

Briefe der Kurfürstin Sophie von Hannover an die Raugräfinnen und Raugrafen zu Pfalz. Herausgegeben von EDUARD BODEMANN. Publicationen aus den K. Preussischen Staatsarchiven. Band xxxvii. (Leipzig: Hirzel. 1888.)

HERE is more material, but accompanied by divers indications that the store is anything but exhausted, for the future biographer of the ancestress of our reigning house, whose personal presentment, albeit she was so indifferent to it herself, should surely occupy the place of honour in this writer's Hanoverian exhibition. The letters contained in this volume are in every sense of the word familiar letters, and as such form a delightful supplement to the correspondence of the electress Sophia with

her brother the elector palatine Charles Lewis, issued from the same archives a few years ago. In one sense, to be sure, the electress was incapable of writing *unfamiliar* letters, even when she discussed political topics proper (which she did as rarely as she could help), or exchanged views on the immortality of the soul with Leibniz. Her French style was in her own opinion not worth much, but at all events free from the objection of being *tiré*; and the same criticism applies *a fortiori* to her composition in the vernacular, which she contrived to spell worse than even seventeenth-century German can ever have been spelled before. Her contemporary the duchess of Marlborough, in her experiments upon Mrs. Morley's English, was a pedant in comparison. But what of that? Her principle as a letter-writer, which she lost no opportunity of briefly enunciating in lieu of the usual reasons for not having answered sooner, was never to write at all unless she had something to say; and she pleasantly reflects on the very different process whereby her well-beloved niece the incomparable duchess of Orleans consumed quires where she merely covered sheets. Of course, however, there is an unmistakable family likeness between the effusions of the two princesses. Both were *pfälzisch* to the core, in their freedom of written speech *sans peur et sans gêne*, merely prefixing a facetious *met Verlöff* to their most audacious improprieties, which in these letters of the electress sometimes stand in startling juxtaposition with quotations from scripture, as well as with proverbial philosophy from profane sources. And both women, whatever fibre of coarseness ran through their natures, had as sound understandings and as loyal, warm hearts as have ever stood proof against the trials of life-long suffering and ill-usage. In these pages will be found a hundred illustrations of the electress Sophia's love for her children, both fortunate and unfortunate—for the erratic Max, for the lettered and 'virtuous' but obstinate Christian, for 'Gustien' (Ernest Augustus), as well as for her own counterpart the bright-minded queen in Prussia. Even in her unlovable first-born her maternal instinct discerned the redeeming feature; for no truer appreciation of George I remains than her remark that he resembled his uncle the elector Charles Lewis, not indeed in his affability but in his sense of justice. More novel is the light thrown in these pages upon her devotion to her husband, to whom in his dreary last years she proved a faithful and cheerful nurse. It is impossible, she says with her usual simplicity, not to have sympathy with the father of one's dear children. She even brought herself to be kind to his *çi-devant* mistress, the countess Platen, when nearing her ghastly end. Her Palatine relatives found in her a staunch friend and protectress, in particular the Raugrafen and Raugräfinnen, children of her brother the elector Charles Lewis by hismorganatic marriage with Louisa von Degenfeld, to whom these letters are addressed. Two of her nieces she attached to her court, and it was in the arms of the elder of these, Louisa, that she afterwards died. Among the brothers the most original figure is that of Count Charles. Maurice, who was a true Pfälzer in contagious gaiety of disposition and conversational wit, and who (*met Verlöff*) drank himself to death. But no suppliant, however humble, hailing from the beloved Palatinate went away empty-handed from Herrenhausen so long as the purse of its mistress held out.

In the same spirit the electress Sophia was the consistent patroness of her Calvinist coreligionists at Hanover, for whom she established a German as well as a French church in that city, subscribing liberally to the needs of both. I here touch on a subject which has hitherto remained rather obscure in the biography of the electress, but which, like everything else concerning her into which she enters in her letters, is made perfectly plain by herself. She had been brought up a Calvinist, and to the last took comfort after her own fashion from the cardinal doctrine of predestination, which certainly has never found a more cheerful or single-minded exponent. But she had in her youth, when at her mother's court in the Low Countries, conformed to the service of the church of England, and even received the sacrament according to its rites. As she told Cresset at the electoral table, there was no reason for excluding such Calvinists as herself from the church of England, as if they were a 'faction,' like the presbyterians. 'Sermons at church do not make a different religion.' When her English advisers besought her to appoint a church of England chaplain, she declined on the ground that nobody at Hanover would understand his language, and that the two chaplains already there were quite enough for her. The one form of protestantism which she disliked was the Lutheran pietism which was just coming into vogue. This attitude may have its humorous side; it has also a very serious one when taken in connexion with the well-known contemporary aspirations after a reunion among protestants, which might possibly form the prelude to a general reunion of western Christendom. Luckily, these views of the electress Sophia, which were substantially those of her eldest son, were little known to the highflyers at home, or the protests which they attempted to raise after the accession of George I might perhaps have been urged with better effect before it.

On the history of the Hanoverian succession itself these letters throw no actually new light; but such references to it as they contain only serve to corroborate the opinion previously advanced in this Review,¹ that the conduct of the electress Sophia was from first to last absolutely discreet. It cannot be said that she was altogether indifferent to the splendid prospect before her; England, she repeatedly tells her nieces, is a pleasant country; and she was throughout ready to welcome any sign that the government of Queen Anne, or still more that Queen Anne herself, was taking serious measures to prepare the succession of her house. But, with the exception of two letters to the electress and to her son (the latter is dated 16 April 1702, the former bears no date, and both are now printed for the first time), the queen in the early years of her reign gave no such sign; and much of the obvious unwillingness to invite the electress to England or make her a suitable allowance as heiress-apparent was attributed by Sophia to the jealousy of the duchess of Marlborough, resolved that nobody but herself should be the second lady in the land. When, in the later part of the reign, this influence had been overthrown, and the tories had come into power with a policy of peace, the electress acutely (though as it proved not correctly) conjectured that the renewal of friendly relations with France would be adverse to the chances of the house of Hanover. In general her philosophy stood her in good stead in

¹ Vol. i. p. 470, etc.

enabling her to dismiss from her mind all troubled speculations concerning a throne which her age and infirmities made her feel it in any case improbable she would live to mount. She could even, without being the least of a Jacobite at heart (as has been absurdly said), dwell without rancour on the possibility of the long-deferred tidings of joy descending after all upon St. Germans instead of upon Herrenhausen. For the rest, though both shrewd and well-informed in this as in other matters that interested her, she had no intimate knowledge of the complications of English politics—and I much doubt whether she desired to have it.

The discretion which had necessarily become second nature to the electress Sophia she exhibits in her letters to her nieces in an affair which probably came home to her much more closely than the question of the succession, inasmuch as she was too true a woman not to care for the domestic interests of her family first, and for everything else afterwards. But I have no wish to seize this opportunity for attempting one more last word on the unhappy Königsmarck scandal. As it seems to me, the casual references to Sophia Dorothea in this correspondence help to refute the notion (which, for the rest, no serious attempt has ever been made to prove) that the electress Sophia took part in a kind of family conspiracy to avenge the success of Eleonora d'Olbreuse upon her daughter. That, on the other hand, Sophia cordially hated her 'sister' is a supposition which needs no proof at all, inasmuch as she was the last person to resist what she no doubt considered a legitimate impulse. But the line between impulse and action is precisely that which healthy natures like that of the electress Sophia know how to draw. Besides Hanoverian there will be found in this volume Berlin scandals connected with the Wartensleben *régime*, which ought to have made the electress revoke her exultation over the fall of Danckelmann. Pleasanter passages in the correspondence are the admirably discriminating sketch of Peter the Great (simpler than that in the Leibniz correspondence), with whom the electress had the honour of dining in the summer of 1697, and a charming miniature of Frederick William I of Prussia as a boy, like to a cupid in his fair curls, but all the same a regular martinet *in nuce*.

This volume is edited by Mr. E. Bodemann, of the Hanover archives, as to whose competence for his task there can of course be no question. He will, however, permit the hint that Burnet never was (though he may have much wished to be) archbishop of Canterbury ('Introduction,' pp. xvi, xxi). The notes to the text are both brief and to the point, though here and there they elucidate the spelling of the electress with almost irritating completeness. One likes to be trusted so far as to guess that 'Herr Leibenitz' means Leibniz, though nothing but gratitude can be due for hints as to the identity of *Shereferel* (Sacheverell), *tamas aquempes* and *toleres* (Tauler).

A. W. WARD.

The difficulty which historical teachers have found in supplying their pupils with trustworthy maps of medieval geography may excuse our drawing attention in this Review to an atlas which makes no pretension to serve for more than school use. The *Historisch-geographischer Schulatlas des Mittelalters* recently produced by F. W. SCHUBERT and

W. SCHMIDT (Vienna: Hölzel. 1889) appears well adapted not merely for younger university students but also for those readers who want a guide to help them in a general study of medieval history, as well as for those who cannot afford to provide themselves with a copy of Spruner or Droysen. Printed in a convenient large octavo size and published at an exceedingly low price, it contains nineteen plates with thirty-four maps, large and small. The maps are clearly drawn and coloured, and a sketch of the territorial growth of the various countries is prefixed. It is perhaps indeed a pity that in some of the maps, which are drawn on a fairly large scale, there are not more places inserted; but the ordinary student will probably find all that he requires, and it is certainly a fault on the right side, for educational purposes, not to overcrowd the maps with names. For the same reason we notice that the modern names of places are usually inserted even in the earlier maps, though in some cases the medieval form is given as well (thus *Pictavis* [*Poitiers*]). In an atlas containing a relatively small number of maps absolute correctness in the boundaries for any precise date is of course unattainable, and sometimes (for instance, in the extended sweep given to the eastern limits of the empire under the Carolings) the maps are at least misleading; but as a rule they may be depended upon, and we have noticed few omissions of importance.

The Book of Dignities: containing lists of the official personages of the British empire, civil, diplomatic, heraldic, judicial, ecclesiastical, municipal, naval, and military, from the earliest periods to the present time; together with the sovereigns and rulers of the world from the foundation of their respective states; the orders of knighthood of the United Kingdom and India, and numerous other lists. Founded on Beatson's 'Political Index' (1806); remodelled and brought down to 1851 by the late JOSEPH HAYDN; continued to the present time, with numerous additional lists, and an index to the entire work, by HORACE OCKERBY. (London: W. H. Allen. 1890.) This comprehensive title we have transcribed at length, because it tells the history of the valuable work of reference to which it is prefixed. The new book is not merely a revised edition of Haydn's 'Book of Dignities' brought down to the present date: the editor has restored to their place a number of lists which Haydn omitted when he edited Beatson (for instance, those of the under-secretaries of state before 1782), and made other improvements in detail. But the great feature in the new edition is the index filling more than two hundred pages, which we have tested in many places and found not only accurate but abundant and workmanlike; instead of giving a string of numerals after a man's name it specifies by an elaborate system of abbreviations the precise fact about him that will be found on each particular page. The continuation, which covering as it does a period of 'reform' in almost every branch of the queen's service, must have been a work of great labour, is very carefully done, and the entries are checked wherever possible by reference to official records, the *London Gazette*, and other authoritative sources. The complexity of modern changes, orderly as is their arrangement here, has, we are afraid, deprived this book of some of its usefulness as a work of refer-

ence. There are, for example, eight lists of admirals, several of which overlap in point of time. And the volume, which now contains nearly twelve hundred pages, is by no means the same handy volume as 'Haydn' was. But the greatest drawback of the new edition is due to the editor himself, who has entirely omitted the headlines indicating the section and the subject of each page, *which were in his predecessor's book*. By this inexplicable mistake he has just doubled the time required to find any particular place, and taken half from the practical usefulness of his work; though, to be sure, his index to some extent makes amends. It is a pity, too, that Mr. Ockerby has not done more to improve the part of the book already compiled by Beatson and Haydn. The lists of ambassadors still begin with 1760, and those of 'sovereigns and rulers' (including the 'kings, or octarchs, of the English Saxons') are entirely behind the present state of historical knowledge. All the foreign lists, which, notably in the case German princes, are imperfect and faulty in details, had better be omitted. If this were done and the Christian names were abbreviated according to some such simple system as is becoming usual with bibliographers, the bulk of the book would be sensibly diminished, especially if it were printed on a slightly larger page. It is really only for the lists of English 'dignitaries' that the work is consulted by students; and these, for the last two or three centuries, and still more for the last century, are so valuable that it is unfortunate that they should be at all counterbalanced by lists which do not command confidence in the same degree.

Trial by Combat, by GEORGE NIELSON. (Glasgow: William Hodge & Co. 1890.) This is a light and clever little book, on a subject of considerable interest, of which in a general way very little is known. Wager of battle, or trial by combat, regulated either by the customs of chivalry or rules of law, was for long an established mode of proof in Western Europe. It had its day in England, and then, like many other archaic legal facts, was put aside and forgotten, until it started to life again at the celebrated trial of Abraham Thornton in 1817, after which it was expressly forbidden by act of parliament. Mr. Nielson's book traces trial by combat through its several varieties in England and Scotland. The story of the false 'peler' (appealer) who lived for three years on the king's bounty at the rate of three-halfpence a day, falsely appealing honest men of crime, is dramatically told; and how he fared at the hands of a 'meke innocent,' armed with a stave of ash, capped with a horn of iron 'lyke unto a rammy's horne,' whom he had unjustly and incautiously appealed. The meekness of the defendant is less obvious than he succeeded in making his innocence—for he seems to have been a doughty champion of his own rights, and after a terrific struggle got his adversary's nose between his teeth, and kept it there till the false peler cried craven, when he was incontinently confessed and hanged. The result of this battle is proof positive that to knock out a man's front teeth amounts to mayhem, as depriving him of a 'fighting member.' There are many pleasant stories of 'fights fought long ago' collected here, which read like romances, till one sees the array of authorities at the foot of the pages. Anyone who has made any study of English or Scottish law or history will read with pleasure this interesting little bit of research.

Walpole, by JOHN MORLEY. (London: Macmillan & Co. 1889.) 'Walpole,' says Lord Stanhope, 'understood the true interests of his country better than any of his contemporaries.' Mr. Morley fully accepts this verdict, and no doubt it is in the main true. The man who completed the Revolution settlement and preserved peace when peace was of the greatest importance to England deserves well of posterity. Mr. Morley however is so keenly alive to the good points in Walpole's statesmanship that he cannot appreciate the merits of any of his opponents. Of these, Bolingbroke and Carteret receive very severe and at the same time very inadequate treatment. He ignores the results of Mr. Wyon's researches with regard to the former; he is even more unjust towards the latter. That Carteret had abilities of a very high order is undoubted. Mr. Morley, nevertheless, has not a good word for him, and styles his policy 'rash and unsound,' and 'a marvel of levity and temerity.' It is more especially as the defender and admirer of Walpole's foreign policy that Mr. Morley falls foul of Carteret. Though a very strong case can be made out for Walpole's French system during the reign of George I and the early years of that of his successor, it is by no means certain that Carteret's German system was not, in the latter portion of Walpole's ministry, better suited to the interests of England than a blind reliance on the connexion with France. The German system of Carteret is certainly worthy of more consideration than it receives from Mr. Morley. Carteret seems to have been convinced that in the event of a European struggle the Bourbons, united as they were in jealousy of our naval and commercial power, would stand shoulder to shoulder. Authorities like Heeren and Ranke question the wisdom of making the French alliance the basis of our foreign policy even as early as the Polish succession war, and the events of 1741 and the following years go far to justify the correctness of Carteret's views. Mr. Morley speaks of the church policy of Walpole with approbation. But while describing the closing of convocation 'as an effective protest against the virulence of ecclesiastical controversy,' he passes over the disastrous results of this measure which must always remain a blot on Walpole's statesmanship, though it may attest his shrewdness as a party politician. Walpole was of all men directly answerable for the lifeless christianity, for the absence of church development, and for the deterioration in the tone of churchmen, at a time when, having regard to the rapid growth of population in our great towns and colonies, the extension of church organisation was of vital importance. Walpole's policy was, from the whig point of view, successful. The necessity of compression in this little volume is at times very irritating. It would, for example, have been interesting to have had a detailed account of the difficulties experienced by Walpole in carrying out his peace policy between the treaty of Seville and the treaty of Vienna in 1731. Still we are very thankful for what we have got. To a master of literary style, to a recognised authority on the history of the eighteenth century, to one who has himself been a cabinet minister, we are indebted for a valuable and suggestive monograph which is worthy of the whig leader whose career it describes.

List of Historical Books recently published

I. GENERAL HISTORY

(Including works relating to the allied branches of knowledge and works of miscellaneous contents)

- CHERRY (R. R.) Lectures on the growth of criminal law in ancient communities. London: Macmillan. 5/.
- DÖLLINGER (J. I. von). Studies in European history: academical addresses. Transl. by Margaret Warre. Pp. 426, portrait. London: Murray. 14/.
- FESTER (R.) Rousseau und die deutsche Geschichtsphilosophie. Pp. 340. Stuttgart: Göschen. 5·50 m.
- HAYDN (Joseph). The book of dignities; containing lists of the official personages of the British empire, together with the sovereigns and rulers of the world, &c.; continued to the present time, with index, by H. Ockerby. Pp. 1170. London: Allen. 31/6.
- HOWARD (G. E.) Evolution of the university. Pp. 36. Lincoln (Nebraska): Published by the Alumni Association of the University of Alaska.
- POHLER (J.) Bibliotheca historico-militaris: Systematische Uebersicht der Erscheinungen aller Sprachen auf dem Gebiete der Geschichte der Kriege und Kriegswissenschaft seit Erfindung der Buchdruckerkunst bis zum Schluss des Jahres 1880. II. Pp. 867. Cassel: Kessler. 32·50 m.

II. ORIENTAL HISTORY

- BATAVIA.—Dagh-register gehouden int Casteel Batavia vant passerende daer ter plaetse als over geheel Nederlands-India [1661]. Ed. by J. A. van der Chijs. Pp. 257. The Hague: Nijhoff. 5 fl.
- FOURNEREAU (L.) & PORCHER (J.) Les ruines d'Angkor: étude artistique et historique sur les monuments Khmers du Cambodge siamois. Illustr. Paris: Leroux. 4to. 50 f.
- JONGE (J. K. J. de). De opkomst van het Nederlandsch gezag in Oost-Indië: verzameling van onuitgegeven stukken. 2nd series, ed. by P. A. Tiele. II. (ed. by J. E. Heeres). The Hague: Nijhoff. 6·25 fl.
- KRALL (J.) Studien zur Geschichte des alten Aegypten. IV: Das Land Punt. Pp. 82. Vienna: Tempsky. 1·60 m.
- PHRANKOUDIS (G.) Κύπρις. Athens. 5 dr.
- REINACH (T.) Mithridate Eupator, roi de Pont. Illustr. Paris: Didot. 10 f.
- RENAN (E.) Histoire du peuple d'Israël. III. Paris: C. Lévy. 7·50 f.
- SCHÜRER (E.) A history of the Jewish people in the time of Jesus Christ. I. Transl. by J. Macpherson. II. Edinburgh: Clark. 10/6.

III. GREEK AND ROMAN HISTORY

- BERTOLINI (F.) Storia di Roma dalle origini italiane sino alla caduta dell' impero d'occidente. Pp. 680, illustr. Milan. 45 l.
- DIONIS CASSII COCCEIANI historia romana. Ed. primam curavit L. Dindorf, recognovit J. Melber. I. Pp. xlv, 604. Leipzig: Teubner. 4·50 m.
- ΕΛΙΟΠΟΥΛΟΣ (D. E.) Ἱστορίας Κωλέττης. Athens. 1 dr.
- HÜLSEN (C.) und LINDNER (P.) Die Alliaschlacht: eine topographische Studie. Pp. 33, illustr. Rome: Loescher.
- KAMPOUROGLOU (D. G.) Ἱστορία τῶν Ἀθηναίων. Τουρκοκρατία. II, 1. Athens. 1 dr.
- Μνημεῖα τῆς ἱστορίας τῶν Ἀθηναίων, ed. by. II, 1. Athens. 1 dr.
- LANÉRY D'ARC (P.) Histoire de la propriété prétorienne à Rome. Pp. 103. Paris: Rousseau. 2·50 f.
- NEROUTSOS (T.) Χριστιανικὰ Ἀθήναι,

ιστορικὴ καὶ ἀρχαιολογικὴ μελέτη.
Athens. 3 dr.
OBERZINER (L.) Corinto e la tirannide
dei Cipselidi. Pp. 71. Trent: Mo-
nauini.

SACHTRES (G.) Ἱστορικὰ ἡμερολόγια,
1824-1827. Athens.
THEOTOKES (M.) Ὁ Ἰωάννης Καποδιστριάς,
ἐν Κεφαλληνίᾳ, καὶ αἱ στάσεις αὐτῆς ἐν
1800, 1801, 1802. Corfu.

IV. ECCLESIASTICAL HISTORY

AMÉLINEAU (E.) Les actes des martyrs de
l'église copte: étude critique. Pp. 319.
Paris: Leroux. 10 f.
BONIFACE VIII, Registres de, publiés par
G. Digard. (Bibliothèque des écoles
françaises d'Athènes et de Rome. Ser.
II. IV.) V. Pp. 319. Paris: Thorin.
4to. 12 f.
CONCILIORUM recentiorum, Acta et decreta.
Collectio Iacensis. VII. Pp. 971.
Freiburg: Herder. 4to. 26 m.
ERNAULT (L.) Marbode, évêque de Ren-
nes: sa vie et ses œuvres [1035-1123].
Pp. 265. Rennes: Caillière. 3-75 f.
HARRIS (J. R.) & GIFFORD (S. K.) The
acts of the martyrdom of Perpetua and
Felicitas. Pp. 66. Cambridge: Clay. 5 f.
LE BLANT (E.) L'épigraphie chrétienne
en Gaule et dans l'Afrique romaine.
5 plates. Paris: Leroux. 4 f.
PAC DE BELLEGARDE (G. du.) Coup d'œil
sur l'ancienne église catholique de
Hollande, et récit de ce qu'on a fait
sous Clément XIV pour concilier cette
église avec la cour de Rome. Publié
d'après les manuscrits inédits avec

annotations par R. J. Hooykaas. Pp.
59. The Hague: Nijhoff. 60 c.
SANDOVAL (A. de.) Historia de Santa
Catalina de Sienna. Pp. 330. Madrid:
Muñoz Sanchez. 4 pes.
SCHNITZER (J.) Berengar von Tours, sein
Leben und seine Lehre. Pp. 415.
Munich: Stahl. 6 m.
SCHRÖDER (A.) Entwicklung des Archi-
diaconats bis zum elften Jahrhundert.
Pp. 124. Augsburg: Krantzfelder.
1-80 m.
SIEBER (L.) Inventarium über die Hinter-
lassenschaft des Erasmus vom 22 Juli
1536. Pp. 18. Basle: Schweighäu-
serische Buchdruckerei. 2 f.
STUDIA BIBLICA ET ECCLESIASTICA. By
members of the university of Oxford.
II. Pp. 330. Oxford: Clarendon
Press. 12/6.
WOLFGRUBER (C.) Gregor der Grosse.
Pp. 610. Saulgau: Kitz. 6 m.
UGOLINO d'Ostia e Ottaviano degli Ubaldini
(cardinali), Registri di, pubblicati da G.
Levi. (Fonti per la Storia d'Italia.) Pp.
247. Rome: Loescher. 9 l.

V. MEDIEVAL HISTORY

CONRAT (M.) Geschichte der Quellen und
Literatur des römischen Rechts im
früheren Mittelalter. I. 3. Pp. 331-549.
Leipzig: Hinrichs. 10-50 m.
FLEURY-BERGIER. Philippe le Bel et
Othon IV, comte palatin de Bour-
gogne. Pp. 39. Besançon: Jacquin.
GLASSON (E.) Les rapports du pouvoir
spirituel et du pouvoir temporel au
moyen âge. Pp. 108. Paris: Picard.
2-50 f.
KEARY (C. F.) The vikings in western
Christendom [789-888]. Pp. 511, map.
London: Unwin. 16/.

KÖHLER (G.) Die Entwicklung des
Kriegswesens und der Kriegführung in
der Ritterzeit von Mitte des elften
Jahrhunderts bis zu den Hussiten-
kriegen. Registernebst Berichtigungen.
Pp. 171. Breslau: Koebner. 45 m.
NICASTRO (G.) Teodorico il Grande:
studio storico-critico. I. Pp. 75.
Caltagirone: Scuto.
WRIGHTSON (R. H.) The Sancta Res-
publica Romana, a handbook to the
history of Rome and Italy [395-888].
Pp. 280. London: Frowde. 7/6.

VI. MODERN HISTORY

BONGHI (R.) Storia dell' Europa durante
la rivoluzione francese [1789-1795]. I:
Luigi XVI. e Maria Antonietta [1774-
1788]. Pp. 320. Turin: Paravia.
3-50 l.
DESIDOUR (A.) Histoire diplomatique de
l'Europe depuis l'ouverture du congrès
de Vienne jusqu'à la clôture du congrès
de Berlin [1814-1878]. I: La sainte-
alliance. II: La révolution. Paris:
Alcan. 18 f.
FLETCHER (C. R. L.) Gustavus Adolphus
and the struggle of protestantism for

existence. Illustr. London: Arnold.
5/.
FORSTEN (G. W.) Acten und Briefe zur
Geschichte des baltischen Frage im
sechzehnten und siebzehnten Jahrhun-
dert, herausgegeben von. Petersburg:
Skorochodow.
FOUCAUT (P.) Campagne de Prusse [1806],
d'après les archives de la guerre. Paris:
Berger-Levrault. 12 f.
KERNKAMP (G. W.) De sleutels van de
Sont; het aandeel van de republiek in
den Deensch-Zweedschen oorlog van

- 1644-1645. Pp. 342, map. The Hague: Nijhoff. 2-90 f.
- KRONES (F. von) Josef Freiherr von, Simbschen und die Stellung Oesterreichs zur serbischen Frage [1807-1810]. Pp. 134. Vienna: Tempsky. 2-50 m.
- LANE-POOLE (S.) Sir Richard Church, commander-in-chief of the Greeks in the war of independence. Pp. 72. London: Longmans. 5f.
- MAGGIOLLO (vicomte A.) Pozzo di Borgo [1764-1842]. Pp. 450. Paris: C. Lévy. 18mo. 3-50 f.
- SAVOY.—La battaglia di S. Quintino e le relazioni fra la reale casa di Savoia e il Piemonte e casa d'Este secondo i documenti, con prefazione di S. Malaguzzi. Pp. xxii, 108. Modena: tip. Soliani.
- ZEISSBERG (H., Ritter von). Quellen zur Geschichte der Politik Oesterreichs während der französischen Revolutionskriege [1793-1797], herausgegeben von. III: Der Baseler Friede und die dritte Theilung Polens. Pp. 452. Vienna: Braumüller. 10-80 m.

VII. FRENCH HISTORY

- AUBER (chanoine). Histoire générale civile, religieuse, et littéraire du Poitou. VII. Paris: Lechevalier. 6 f.
- BARANTE (C. de). Souvenirs du baron de Bayante. I: [1782-1813]. Paris. Pp. 411. 7-50 f.
- BERSIER (E.). Quelques pages de l'histoire des Huguenots. Préface par A. Sabatier. Paris: Fischbacher. 12mo. 3-50 f.
- BRUN-DURAND (J.). Censier de l'évêché de Die, à Die, Montmaur, et Aurel: Document du treizième siècle en langue vulgaire. Paris: A. Picard. 2 f.
- CHASSIN (C. L.). Les élections et les cahiers de Paris en 1789. IV: Paris hors les murs. Table générale chronologique. Pp. 532. Paris: Quantin. 7-50 f.
- CHELLES, L'abbaye de (ordre de Saint-Benoît), diocèse de Paris [657-1790]. Résumés chronologiques. II. Paris: Lechevalier. 12mo.
- CHEVALIER (J.). Mémoire historique sur les hérésies en Dauphiné avant le seizième siècle, accompagné de documents inédits sur les sorciers et les Vaudois. (Collection d'opuscules dauphinois. I.) Paris: Lechevalier. 5 f.
- COIGNET (madame C.). La réforme française avant les guerres civiles [1512-1559]. Paris: Fischbacher. 12mo. 3-50 f.
- DELABORDE (H. F.). La vraie chronique du religieux de Saint-Denis. Pp. 20. Nogent-le-Rotrou: imp. Daupley-Gouverneur.
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- DUVAL (L.). Ephémérides de la moyenne normande et du Perche en 1789: documents pour servir à l'histoire du commencement de la révolution dans la généralité d'Alençon. Paris: Lechevalier. 16mo. 3 f.
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- HABASQUE (F.). Le dernier duc d'Aquitaine, Xavier de France [1753-1754]: étude historique. Paris: Picard. 3-50 f.
- JEHANNE LA PUCELLE, Procès de: manuscrit inédit, légué par Benoît XIV à la Bibliothèque de l'Université de Bologne et publié avec une introduction par A. Du Bois de la Villerabel. Pp. c, 217. Saint-Brieuc: Prud'homme. 16mo. 3-50 f.
- LAMBERT (G.). Histoire de Toulon. II: Depuis la réunion de la Provence à la France [1487] jusqu'à la révolution [1789]. III. Pp. 456. Toulon: imp. du Var. 8 f.
- LA NICOLLIÈRE-TEIJEIRO (S. de). Jacques Cassard, capitaine de vaisseau [1679-1740]: étude historique et biographique d'après des documents inédits. Pp. 200. Vannes: Lafolye. 5 f.
- LEDAIN (B.). Histoire sommaire de la ville de Poitiers. Paris: Lechevalier. 6 f.
- LE SÂGE (abbé). Notices historiques sur le diocèse de Saint-Brieuc avant, pendant, et après la révolution et sur les environs de Broons et d'Uzel. Pp. 144. Saint-Brieuc: Prud'homme. 4 f.
- MERIEL (A.). Histoire de Falaise. Paris: Lechevalier. 12mo. 4 f.
- MOLINIER (A.). Les obituaires français au moyen âge. Pp. 358. Paris: Picard. 7 f.
- MONCEAUX (H.). Documents sur la révolution française: la révolution dans le département de l'Yonne [1788-1800]: essai bibliographique. Pp. 230, illustr. Paris: Lechevalier. 15 f.
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- SEPET (M.). Les préliminaires de la révolution. Pp. 358. Paris: Retaux-Bray. 18mo. 3-50 f.
- TAINÉ (H.). Les origines de la France contemporaine. V: Le régime moderne. I. Paris: Hachette. 7-50 f.
- TALLEYRAND. Correspondance diploma-

tique; le ministère de Talleyrand sous le directoire, avec introduction et notes par G. Pallain. Pp. lvi, 465. Paris: Plon. 8 f.

TROUSSET (J.) Histoire d'un siècle. IV: [1799-1807]. V: [1807-1813]. Paris: Librairie illustrée. Each 7-50 f.

TAXIL (L.) & FESCH (P.) Le martyre de Jeanne d'Arc. Edition donnant la traduction fidèle et complète du procès de la Pucelle d'après les manuscrits authentiques de Pierre Cauchon. Pp. 528. Paris: Letouzy & Ané. 18mo. 3-50 f.

VIII. GERMAN HISTORY

(Including AUSTRIA-HUNGARY)

AUSTRIACAERUM, Fontes rerum: Oesterreichische Geschichtsquellen. Herausgegeben von der historischen Commission der kaiserlichen Akademie der Wissenschaften in Wien. II: Diplomataria et acta. XLV, 1: Meinhards II Urbare der Grafschaft Tirol. Herausgegeben von Zingerle. I. Pp. 224. Vienna: Tempsky. 3-60 m.

BIDERMANN (H. I.) Geschichte der österreichischen Gesamtstaats-Idee [1526-1804]. II: [1705-1704]. Pp. 361. Innsbruck: Wagner. 7-60 m.

BLÜMCKE (O.) Pommern während des nordischen siebenjährigen Krieges. Pp. 445. Stettin: Saunier. 5 m.

BOCKENHEIMER (K. G.) Geschichte der Stadt Mainz während der zweiten französischen Herrschaft [1798-1814]. Pp. 446, map, &c. Mainz: Kupferberg. 6-50 m.

EBERSTEIN (A. von). Kritische Bemerkungen über Heinrich von Sybel's 'Begründung des deutschen Reiches durch Wilhelm I.' 2 vol. Pp. 219, 287. Wiesbaden: Schellberg. 9 m.

FRIEDRICH DES GROSSEN, Politische Correspondenz. XVIII, 1. Pp. 368. Berlin: Duncker. 10 m.

FRIEDRICH WILHELM von Brandenburg, Urkunden und Actenstücke zur Geschichte des Kurfürsten. XIII: Politische Verhandlungen, IX; herausgegeben von R. Brode. XIV, 1: Auswärtige Acten, III: Oesterreich; herausgegeben von A. F. Pribram. Pp. 826, 784. Berlin: Reimer. Each 20 m.

GÄHTGENS (P.) Die Beziehungen zwischen Brandenburg und Preussen unter Kurfürst Friedrich II [1440-1470]. Pp. 152. Giessen: Ricker. 2-60 m.

GEFFCKEN (H.) Die Krone und das niedere deutsche Krongut unter Friedrich II [1210-1250]. Pp. 115. Jena: Frommann.

HUNGARY.—Monumenta Vaticana historiam regni Hungariae illustrantia. Series I. IV, V. Pp. 655, xxviii, 168. Budapest. 4to. 15 m.

JÄHNS (M.) Geschichte der Kriegswissenschaften, vornehmlich in Deutschland. I, II. Munich: Oldenbourg. 24 m.

JANKE (A.) Die Belagerungen der Stadt Trier [1673-1675] und die Schlacht an der Conzer Brücke [11

Aug. 1675]. Pp. 108, map. Trier: Lintz. 4 m.

KRAUS (F. X.) Die christlichen Inschriften der Rheinlande. I: Von den Anfänge des Christenthums am Rheine bis zur Mitte des achten Jahrhunderts. Pp. 171, illustr. Freiburg: Mohr. 4to. 30 m.

KUHLMANN (B.) Der heilige Sturm, Gründer Fuldas und Apostel Westfalens. Pp. 125. Paderborn: Bonifacius-Druckerei. 1-20 m.

LAMPRECHT (K.) Deutsche Geschichte. I. Pp. 364. Berlin: Gaertner. 6 m.

NIRRNHEIM (H.) Hamburg und Ostfriesland in der ersten Hälfte des fünfzehnten Jahrhunderts. Pp. 157. Hamburg: Meissner. 2 m.

PADERBORN, Die Urkunden des Bisthums [1201-1300]. (Westfälisches Urkunden-Buch. IV.) III: Die Urkunden der Jahre 1251-1300. 3, bearbeitet von H. Finke. Pp. 637-796. Münster: Regensburg. 4to. 5 m.

REGINONIS abbatiss Prumiensis chronicon, cum continuatione Treverensi. Recognovit F. Kurze. Pp. 196. Hanover: Hahn. 2-40 m.

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RÜTHNING (G.) Tilly in Oldenburg und Mansfelds Abzug aus Ostfriesland. Pp. 24, plan. Oldenburg: Stalling. 4to. 1 m.

SCHMIDT (W. A.) Geschichte der deutschen Verfassungsfrage während der Befreiungskriege und des Wiener Congresses [1812-1815], aus dessen Nachlass herausgegeben von A. Stern. Pp. 497. Stuttgart: Göschen. 7-50 m.

SCHNEIDER (J.) Die alten Heer- und Handelswege der Germanen, Römer, und Franken im deutschen Reiche, nach örtlichen Untersuchungen dargestellt. VIII, IX. Pp. 30, 36, maps. Düsseldorf: Bagel. 5 m.

SCHRÖDER (H.) Zur Waffen- und Schiffskunde des deutschen Mittelalters bis um das Jahr 1200. Pp. 45. Kiel: Lipsius & Tischer. 1-60 m.

SDRALEK (M.) Die Streitschriften Altmann's von Passau und Wezilo's von Mainz. Pp. 188. Paderborn: Schöningh. 5 m.

SOHM (R.) Die Entstehung des deutschen Städtewesens. Pp. 102. Leipzig: Duncker & Humblot. 2/40 m.

TREITSCHKE (H. von) Deutsche Geschichte im neunzehnten Jahrhundert.

(Staatengeschichte der neuesten Zeit) IV. Pp. 753. Leipzig: Hirzel. 10 m.

WULF (J. E.) St. Willehad, Apostel der Sachsen und Friesen. Pp. 100. Breslau: Müller. 80 pf.

IX. HISTORY OF GREAT BRITAIN AND IRELAND

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- BECKETT (W. H.) The English reformation of the sixteenth century, with chapters on monastic England and the Wycliffite reformation. Maps. London: Religious Tract Society. 3/6.
- BELLESHEIM (A.) History of the catholic church of Scotland. Transl. by O. H. Blair. IV. Map. Edinburgh: Blackwood. 12 6.
- BIOGRAPHY, dictionary of national. Ed. by L. Stephen and S. Lee. XXV: *Harris—Henry I.* London: Smith, Elder, & Co. 15/.
- BROWNE (G. Lathom). The public and private life of Horatio, viscount Nelson. Illustr. London: Unwin. 18/.
- BUTLER (colonel sir W. F.) Sir Charles Napier. Pp. 216, portrait. London: Macmillan. 2/6.
- COWPER (earl), Calendar of the manuscripts of. (Historical Manuscripts Commission.) III. London: H.M. Stationery Office. 1/4
- DUNCKLEY (H.) Viscount Melbourne. London: Low. 3/6.
- FLEMING (S. H. le), Calendar of the manuscripts of. (Historical Manuscripts Commission.) London: H. M. Stationery office. 1/11.
- FROUDE (J. A.) The earl of Beaconsfield. Pp. 268, portrait. London: Low. 3/6.
- GARDINER (S. R.) A student's history of England, from the earliest times to 1885. I. Pp. 410. London: Longmans. 4/.
- GIBB (W.) Relics of the royal house of Stuart, illustrated by a series of 40 plates in colours; with introduction by J. Skelton. London: Macmillan. Folio. 147/.
- GIBBINS (H. de B.) The industrial history of England. Pp. 232, maps. London: Methuen. 2/6.
- GROSS (C.) The gild merchant: a contribution to British municipal history. 2 vol. Pp. 332, 447. Oxford: Clarendon Press. 24/.
- HENRY VIII., Letters and papers, foreign and domestic, of the reign of. Arranged and catalogued by J. Gairdner. XII, 1. London: Published under the direction of the master of the rolls. 15/.
- HOWELL (G.) The conflicts of capital and labour historically and economically considered. 2nd revised edition brought down to date. Pp. 572. London: Macmillan. 7/6.
- IRELAND, Calendar of the state papers relating to, of the reign of Elizabeth [1592, Oct.—1596, June], preserved in the Public Record Office. Ed. by H. C. Hamilton. London: Published under the direction of the master of the rolls. 15/.
- LIANG (A.) Life, letters, and diaries of sir Stafford Northcote, first earl of Iddesleigh. 2 vol. Pp. 740. Edinburgh: Blackwood. 31/6
- LECKY (W. E. H.) A history of England in the eighteenth century. VII, VIII. Pp. 1120. London: Longmans. 36/.
- MACKAY (Æ. J. G.) A sketch of the history of Fife and Kinross: a study in Scottish history and character. Edinburgh: Blackwood. 6/.
- MAURÈS DE MALARTIC (comte de). Journal des campagnes au Canada [1755–1760]. Publié par le comte G. de Maurès de Malartic et par P. Gaffarel. Paris: Plon. 8 f.
- NORTH (Roger). Lives of Francis North, baron Guildford, sir Dudley North, and the rev. Dr. John North; together with the autobiography of the author. Ed. by A. Jessopp. 3 vol. Pp. 1112. London: Bell. 10/6.
- REID (T. Wemyss). The life, letters, and friendships of Richard Monckton Milnes, first lord Houghton. 2 vol. Portraits. London: Cassell. 32/.
- SCOTLAND.—Registrum magni sigilli regum Scotorum: The register of the great seal of Scotland [1593–1608]. Ed. by J. M. Thomson. London: H.M. Stationery office. 15/.
- SCOTT (sir Walter). Journal [1825–1832], from the original manuscript at Abbotsford. 2 vol. Edinburgh: Douglas. 32/.
- TASWELL-LANGMEAD (T. P.) English constitutional history, from the Teutonic conquest to the present time. 4th edition, revised, with notes &c., by C. H. E. Carmichael. Pp. xli, 884. London: Stevens. 21/.
- ZIMMERMANN (A.) S. J. Maria die Katholische: eine Skizze ihres Lebens und ihrer Regierung. Pp. 162. Freiburg: Herder. 2/20 m.

X. ITALIAN HISTORY

- AMABILE (A.) *La corte di Roberto d'Angiò e il secondo viaggio del Petrarca a Napoli*. Pp. 52. Naples: Mormile.
- BALAN (P.) *Storia d'Italia*. Pp. 1384. Modena: Toschi.
- BATTAGLINO (J.) & CALLIGARIS (J. M.) *Indices chronologici ad Antiquitates Italicas medii ævi et ad opera minora L. A. Muratorii*. Fasc. II. Pp. 61-120. Turin: Bocca. Folio. 750 l.
- BLANDINI (G.) *Il delitto e la pena nelle leggi longobarde*. Pp. 76. Catania: Galati.
- BOZZA (A.) *La Lucania: studi storico-archeologici*. II. Pp. 371. Rionero in Vulture: Ercolani.
- BURANELLO (G.) *Vita intima di Maria Christina di Borbone, regina di Sardegna, dietro memorie inedite d'un cistercense d'Altacomba*. Pp. 190. Portogruaro: tip. Castion. 150 l.
- CONFORTI (L.) *La repubblica napoletana e l'anarchia regia [1799]*. Avellino. 41.
- FORCELLA (V.) *Iscrizioni delle chiese e degli altri edifici di Milano dal secolo ottavo ai giorni nostri*. IV. Pp. 404, illustr. Milan: Prato. 20 l.
- MONTAFERTI, *Il libro di*, pubblicato da C. Paoli. Pp. 554. Florence: Vieu-seux. 4to. 15 l.
- MORTILLARO (V.) *Légendes historiques siciliennes du treizième au dix-neuvième siècle*. Pp. 468. Palermo. 10 l.
- PISTOLA.—*Breve et ordinamenta populi Pistorii anni MCCLXXXIV. Nunc primum edidit L. Zdekauer*. Pp. lxxx, 271. Milan: Hoepli. 4to. 20 l.
- PROFESSIONE (A.) *Dalla battaglia di Pavia al sacco di Roma*. I. Pp. 80. Verona: Drucker. 2 l.
- RAULICH (L.) *La caduta dei Carraresi signori di Padova con documenti*. Pp. 136. Padua: Drucker & Senigaglia.
- SANESI (L.) *Giovanni da Procida ed il vespro siciliano*. Pp. 32. Turin: Bocca. 2 l.

XI. HISTORY OF THE NETHERLANDS

- CAUCHIE.—*La querelle des investitures dans les diocèses de Liège et de Cambrai*. I: *Les réformes grégoriennes et les agitations réactionnaires [1075-1092]*. Pp. xcii, 124. Louvain: Pieters. 350 f.
- DARIS (J.) *Histoire du diocèse et de la principauté de Liège depuis leur origine jusqu'au treizième siècle*. Pp. xxxiv, 761, map. Liège: Demarteau. 5 f.
- GRANVELLE, *Correspondance du cardinal de*, publiée par C. Piot. VIII: [1580-1581]. Pp. lxxii, 670. Brussels: Hayez.
- GRATAMA (S.) *Eenige ordelen en verordeningen van den drost en etten van het Landschap van Drenthe*, uitgegeven van. Pp. 116. Groningen: Scholtens. 160 fl.
- KÉRAVAL (capitaine). *Chroniques maritimes d'Anvers [1804-1814]: histoire d'une flotte du temps passé*. Pp. 172. Paris: Baudoin. 4 f.
- MARIENWEERD, *Cartularium der abdij, uitgegeven door J. de Fremery*. Pp. 420, map. The Hague: Nijhoff. 750 fl.
- NAMÈCHE (A. J.) *Cours d'histoire nationale*. VI: *Période autrichienne*. XXVI. Pp. 396. Louvain: Fonteyn. 4 f.
- NAMUR.—*Inventaires des chartes des comtes de Namur par C. Piot*. Pp. 520. Brussels: Hayez. 4to.
- RIS LAMBERS (C. H.) *De kerkhervorming op de Veluwe [1523-1578]*. Pp. 209, 405. Barneveld. 320 fl.
- SILLEM (J. A.) *Dirk van Hogendorp [1761-1822]*. Amsterdam. Pp. 374. 425 fl.

XII. SLAVONIAN AND LITHUANIAN HISTORY

- DENIS (E.) *Fin de l'indépendance bohème*. I: *Georges de Podiébrad; les Jagellons*. II: *Les premiers Habsbourgs; la défenestration de Prague*. Paris. 15 f.
- KRUMBOLTZ (R.) *Samaiten und der deutsche Orden bis zum Frieden am Melno-See*. Pp. 210, map. Königsberg: Beyer. 450 m.
- LOZINSKI (W.) *Patrycyat i mieszczaństwo lwowskie w XVI i XVII wieku*. Pp. 305, 73 illustr. Lemberg. 9 fl.
- MORAVIA.—*Codex diplomaticus et epistolaris Moraviae: Urkunden-Sammlung zur Geschichte Mährens*, herausgegeben von V. Brandl. XII: [1391-1399]. Pp. 539. Brünn: Winiker. 4to. 10 m.

XIII. HISTORY OF SPAIN AND PORTUGAL

(Including SOUTH AMERICA)

- BARROS ARANA (D.) *Historia general de Chile*. X. Pp. 646. Santiago de Chile: Jover. 4to. 21-50 pes.
- CAPPA (R.) *Estudios críticos acerca de la dominación española en América*. IV, 2: *Las guerras civiles*. Pp. 321. Madrid: Ruiz de Castroviejo. 4 pes.
- COLECCIÓN de documentos inéditos para la historia de España. XCVII: *Continuación de las cartas de Felipe IV en 1647 relativas á la guerra de Cataluña*. Pp. 525. Madrid: Murillo. 4to. 13 pes.
- LAFUENTE (D. M.) *Historia general de España desde los tiempos primitivos hasta la muerte de Fernando VII*. XXI, XXII. Pp. 351, 441. Barcelona: Montaner y Simón. 4to. 6 pes.
- MEDINA (J. T.) *Historia del tribunal del Santo Oficio de la Inquisición en Chile*. I. Pp. 427. Santiago de Chile: Impreso en casa del autor. 4to. 13-50 pes.
- OLIVART (marqués de). *Colección de los tratados, convenios, y documentos internacionales, celebrados por nuestros gobiernos con los estados extranjeros desde el reinado de doña Isabel II hasta nuestros días, etc.* I: [1834-1848]. Pp. 429. Madrid: El Progreso editorial. 4to. 16 pes.
- QUESADA (V. G.) *Crónicas Potosinas; costumbres de la edad medieval hispano-americana*. 2 vol. Pp. 520, 492. Paris: Goupy & Jourdan. 18mo. 10 f.

XIV. SWISS HISTORY

- BAUMGARTNER (G. J.) *Geschichte des Kantons St. Gallen [1830-1850]. Nach dem Tode des Verfassers herausgegeben von A. Baumgartner*. Pp. 456. Einsiedeln: Benziger.
- CAMPPELLI (Ulrici) *Historia Raetica*. II. (Quellen zur schweizer Geschichte. IX.) Herausgegeben von P. Plattner. Pp. lxxx, 781. Basel: Geering.
- CERESOLE (U.) *La république de Venise et les Suisses; relevé des manuscrits des archives de Venise se rapportant à la Suisse et aux trois ligues grises*. New edition revised. Pp. 286. Venice: Naratovich.
- STÜRLER (M. von). *Der Laupenkrieg [1339-1340]; kritische Beleuchtung der Tradition, als Beitrag zur Läuterung der älteren Berner*. Pp. 89. Bern: Huber.

XV. HISTORY OF THE UNITED STATES OF AMERICA

(With MEXICO)

- BANCROFT (H. H.) *History of the Pacific States of North America*. XIX: *California*. VII. [1860-1890]. Pp. 826. San Francisco: The History Co. \$4-50.
- BROWN (A.) *The genesis of the United States [1605-1616], set forth through a series of historical manuscripts now first printed, together with a reissue of contemporaneous tracts, &c.* 2 vol. Portraits & maps. London: Heinemann. 73/6.
- CARLIER (A.) *La république américaine. Avec une carte de la formation politique et territoriale des Etats-Unis*. 4 vol. Paris: Guillaumin. 36 f.
- FISKE (J.) *Civil government in the United States considered with some reference to its origins*. Pp. 360. London: Macmillan. 6/6.
- GAULOT (P.) *La vérité sur l'expédition du Mexique, d'après les documents inédits de Ernest Louet*. III: *Fi d'empire*. Paris: Ollendorff. 12mo 3-50 f.
- HEITMAN (F. B.) *Historical register of the United States army from its organisation, 29 Sept. 1789, to 28 Sept. 1889*. Pp. 900. Washington: Office of the 'National Tribune.' 88.
- McCONNELL (S. D.) *History of the American episcopal church from the planting of the colonies to the end of the civil war*. Pp. 392. New York: Whittaker. \$2.
- WEEDEN (W. B.) *Economic and social history of New England [1620-1789]*. 2 vol. Boston: Houghton, Mifflin, & Co. \$4-50.

Contents of Periodical Publications

I. FRANCE

Revue Historique, xliv. 1. September—A.

VANDAL: *The negotiations with Russia relative to the second marriage of Napoleon I*, with letters and other documents.—C. V. LANGLOIS: *The archives of the history of France* [describing the various attempts towards collecting them and rendering them accessible to students; the introduction to a forthcoming book of reference by C. V. Langlois and H. Stein].—L. M. BATIFFOL: *The archives of the Russian empire at Moscow*, from notes by J. J. CHIMKO.—DESCLOZEUX: *Sully's embassy to England in 1601* [maintaining that his only embassy to England was that to James I in 1603, and that the earlier visit is a figment fabricated by Sully himself in the 'Économies royales' and contradicted by all existing evidence].—A. MOREL-FATIO: *José Marchena and the revolutionary propaganda in Spain* [1792–1793], with letters.—Abbé PERETTI: *The birthplace of Christopher Columbus* [against H. Harrisse].

2. November.—B. DE MANDROT: *Jacques d'Armagnac, duke of Nemours* [1433–1477], concluded.—M. PROU: *On the nature of the military service rendered by peasants in the eleventh and twelfth centuries* [arguing that *hostis* or *expeditio*, 'the host,' and *caballatio* or 'knight-service' originally related alike to any sort of warfare and to military service in its widest sense, and that its obligation did not belong to feudal tenants as such, but was a continuation of the ancient duty of freemen].—L. VIGNOLS: *Dutch commerce and the Jewish congregations at the end of the seventeenth century* [printing a document of 1698].

Revue des Questions Historiques, xlviii.

2.—N. VALOIS: *The election of Urban VI* [1378. 'La solution du grand problème posé au quatorzième siècle échappe au jugement de l'histoire'].—Comte H. DE LA FERRIÈRE: *The last conspiracies of the reign of Charles IX* [1573–1574].—G. FAGNIEZ: *Père Joseph and Richelieu*; the political and

religious decline of protestantism and the first Italian campaign [1627–1638].

—CHOPPIN DE JANVRY: *Louis Philippe, duke of Orleans, and his secret marriage with the marchioness of Montesson* [1773], partly from unpublished correspondence.

Bibliothèque de l'Ecole des Chartes, li.

3, 4.—J. HAVET: *Merovingian studies*. VI: *Dagobert I's donation of Etrepigny* [1 Oct. 629; maintaining its genuineness, against the editors of the document and B. Krusch; incidentally fixing the date of Chlothar II's death to the end of September 629; and offering a number of corrections, by the help of palæography, in other Merovingian charters], with pièces justificatives.—J. VIARD prints *lists of the salaries of royal officers in the various bailiwicks, &c., and at the court* [about 1329].—M. PROU describes a *slate fragment* [containing an inscription recording some monastic dispute, c. 1300] recently discovered at Foigny, in the department of the Aisne; with a plate.—H. OMONT: *Summary catalogue of the Renaudot collection in the Bibliothèque Nationale*.—C. V. LANGLOIS prints extracts from documents preserved in England relating to the Agenois, Périgord, and Saintonge [c. 1300].—L. DELISLE: *Jean de Candida, the medallist* [sent by Charles VIII on an embassy to Rome, 1491, and councillor of the king, 1493].—L. D. pronounces for the spuriousness of a *charter of St. Louis* [1246] for the abbey of La Trappe.

Revue d'Histoire Diplomatique, iv. 4.—

L. DE LAIGUE: *The institution of consuls; its history from Greek antiquity to 1806*.—W. H. DE BEAUFORT: *The quarrel between the stadtholder and the baron de Breteuil, French ambassador to the United Provinces* [1768; concerning a point of etiquette].—Baron CHŁAPOWSKI: *The arrest of two French envoys* [Bonac and Du Heron] in Poland [1702] by order of Augustus I.—R. DE MAULDE: *The*

interview of Savona in 1507 [between Ferdinand of Aragon and Louis XII of France; giving the text of the engagement between the two princes, published for the first time from the archives of Simancas. They decided nothing but the maintenance of the *status quo* for six months, in order to give time for further negotiations between France, Aragon, the empire, and Rome, to the exclusion of all other Italian states. In this, and to this limited extent, it is true to say that the league of Cambrai originated at Savona].—C. SCHEFER: *Memoir by the marquis de Bonac* [considerations on the foreign policy of France, presented in 1715].

Annales de l'Ecole Libre des Sciences Politiques, v. 4.—F. AUBERTIN: *Talleyrand's mission to London in 1792* [Talleyrand's efforts to secure the neutrality and, if possible, the alliance of England were frustrated by the folly of his government. He regarded that alliance as a permanent necessity, not as a temporary expedient, and succeeded in effecting in 1830 what he had attempted in 1792].—J. CAPPÉRON: *Lamartine as a parliamentary statesman* [1834-1848], concluded.—R. STOURM: *Bibliography of French finance during the eighteenth century*, continued [the publications of the constituent and legislative assemblies, and of the convention].—P. D'ORGEVAL: *The German colonial protectorates, their origin and nature*.

Bulletin de la Société de l'Histoire du Protestantisme Français, xxxix. 9. September.—O. DOUEN: *The family of Girardot at the time of the revocation*

of the edict of Nantes [at Paris].—N. WEISS: *Documents on the huguenots at Chambéry* [1541-1557].—A. J. ENSCHÉDÉ: *Vaudois petitions to the estates general of Holland* [1699-1701].—10. October.—A. BERNUS: *Peter Ramus at Basle* [1568-1569]; with a letter by him [July 1569], communicated by H. OMONT.—N. WEISS prints the autobiography of Jacques Cabrit [1669-1751], I. [down to his emigration to Switzerland, 1686].

Revue de Cavalerie.—July & September.—General THOMAS: *Pajol* [a biography of the great cavalry leader of the Grande Armée].—August.—*The manuscript of the carabiniers* [describing of a manuscript of value for the history of the French carabiniers, preserved in the public library of Lunéville: the period here dealt with is from 1792 to 1814].—October.—General THOMAS: *Excellmans* [a life of the marshal, who was among the last to fight against the allies before Paris, at Vélizy-Rocquencourt, in 1815].—*A history of the French cavalry regiments* [the 7th, 8th, and 9th hussars].

Revue des Etudes Juives. No. 41. July.—J. HALÉVY: *The correspondence of Aménophis IV and the Bible*, concluded [relating to the Tell el-Amarna tablets in the museum at Berlin, recently published; important for the history, political as well as religious, of Palestine in the fourteenth century B.C.].—I. LOEB: *The third edition of Graetz's 'Geschichte der Juden,' VIII.* [a very detailed review, chiefly on the part relating to the Jews in Spain].

II. GERMANY AND AUSTRIA

Sybel & Lehmann's **Historische Zeitschrift** (Munich), lxi. 3.—M. LEHMANN prints a letter of Hardenberg [2 Jan. 1813, showing that Seydlitz acted against the king of Prussia's orders in co-operating with Yorek to bring about the capitulation of Taugoggen].—T. MOMMSEN: *Impiety in Roman law* [examining the attitude of Roman law not merely towards Christians, but towards all those who offended against or neglected religious observances].—F. ARNHHEIM: *The policy of king Eric XIV of Sweden* [reviewing the circumstances of his reign, with a not inappreciative judgment of his services to his country].—M. L. prints documents [14 Aug. 1754, 20 June-13 July 1756] on *Winterfeldt and the origin of the seven-years' war*.

Grauert's **Historisches Jahrbuch** (Munich), xi. 4.—R. STÖLZLE: *Abailard's treatise*

'*de Unitate et Trinitate divina*' [announcing the discovery at Erlangen of the treatise which was condemned at the council of Soissons, 1121, and which was either supposed to be lost or else identified with another work by Abailard].—R. VON NOSTITZ-RIENECK: *The question of the existence of a 'Liber Papiensis'* [decided to be only a collective name for the latest and best arranged collected manuscripts of the Lombard law in chronological order].—F. JOSTES: *The writings of Gerhard Zerbolt van Zutphen de libris Teutonicibus*, continued from vol. xi. 1 and concluded.—F. EHLE: *On the history of the cataloguing of the Vatican library* [in the sixteenth and seventeenth centuries]; and *The removal of the last remains of the papal archive from Avignon to Rome* [completed in 1783].—M. STRAGANZ prints an

enumeration of the houses and brethren of the cismontane observant provinces of the Franciscan order.

Quidde's Deutsche Zeitschrift für Geschichtswissenschaft (Freiburg), iii. 2.

—The late ADOLF SCHMIDT: *The conclusion of the work of the Vienna congress dealing with the German constitution* [part of a forthcoming (and now published) 'Geschichte der deutschen Verfassungsfrage während der Befreiungskriege und des Wiener Congresses'], with documents.—P. SCHEFFER-BOLCHORST defends the genuineness of *Frederick I's diploma on the partition of the duchy of Saxony* [1180] against the attack of F. Thudichum [incidentally explaining and illustrating the terms of the document].—H. HAUPT: *Waldensianism and the inquisition in south-east Germany* [also in Bohemia, Moravia, and Poland] *from the middle of the fourteenth century* [with remarks on the comparative importance of the Waldensian and Wycliffite influence in promoting the Hussite movement, the former operating chiefly in the Germanised parts of Bohemia], with documents.—E. BERNHEIM finds the *prototype of the fable of pope Joan in the 'Chron. Salernit.'* xvi. [where a female is said to have been patriarch of Constantinople for a year and a half].—J. BERNAYS: *The surname 'gran capitán' borne by Gonzalo Fernandez de Cordoba* [taken from the French translation of 'capitan general,' as 'veedor general' is rendered by 'grand veedor'].—A. VON DRUFFEL prints the draught of the *treaty between Charles V and Paul III.*, concluded in June 1546 [noting the difference between it and the final text].

Neues Archiv der Gesellschaft für ältere Deutsche Geschichtskunde (Hanover), xvi. 1.—W. GUNDLACH describes the collection of '*Epistolae ad res Wisigothorum pertinentes*' [to form the appendix to the third volume of '*Epistolae*' in the '*Monumenta Germaniae historica*'].—T. MOMMSEN: *The dating by regnal years in the empire and among the German invaders* [apart from a single instance under Theodosius II, 443, the practice is first found in the empire in 537, when Justinian ordered the regnal year, starting from the emperor's accession-day, to be noted in official documents side by side with the consular year and the indiction (of 1 Sept.). Hence the practice passed into papal use. In Syria and in Egypt dates were reckoned by regnal years, but the beginning of each year was the beginning of the civil year—1 Oct. (or 10 Dec. from Nerva's time) in Syria, and 29 Aug. in Egypt—so that the first and

last years of a reign were incomplete. The introduction of the era of Diocletian changed the number, but not the day, in Egypt, since thenceforward the years were reckoned continuously from 29 Aug. 284. In the west, the dating by regnal years is found in historians occasionally from an earlier time, but the years have a fixed beginning, either that of the Syrian or Egyptian reckoning or that of the consular year (1 Jan.); the last system winning currency from the example of Eusebius, through St. Jerome. Among the German invaders (excepting the East Goths) we meet with a reckoning according to the years of their kings, sometimes with the consular date as well. After Justinian the years of these kings are found by degrees reckoned as complete, not calendar, years. The Vandals were the first to adopt the complete regnal year, Geiseric dating his from the taking of Carthage, 19 Oct. 439, and the practice was continued by his successors, apparently to the exclusion of any other system: probably, however, 19 Oct. remained always the day from which these years were counted. It may be presumed that Geiseric's rule gave Justinian the idea of reckoning by complete regnal years'.—W. WATTENBACH prints extracts from the *letters of Guy of Bazoches* [cantor of St. Stephen's, Châlons, who died 1203, of great interest as illustrating the life and ways of thought of a learned churchman of the time. Many poems are included].—T. LINDNER: *On the 'Chronicum Urspergensse.'* I: The life and characteristics of Burchard of Ursperg. II: The date of composition of his chronicle [probably begun 1228 or 1229]. III: Its materials.—A. CHROST prints from a Vienna manuscript of the fifteenth century twenty-seven *royal and papal documents* [1172-1414-1416, partly in extract].—M. MANITIUS: *Historical notes from old catalogues of libraries, and On quotations from Carolingian poetry in later medieval writers.*—H. V. SAUERLAND prints two poems addressed to a bishop, from a tenth-century manuscript at Treves.—E. SACKUR prints a *letter on the death of Majolus of Cluny.*—L. VON HEINEMANN prints a *letter of the Pisans to Conrad III* [1151].—W. SCHUM prints a *diploma of Henry VI.*—H. HOOGEWEG: *A new work by Oliver, scholasticus at Cologne* [a description of the Holy Land] in a Darmstadt manuscript.—S. LÖWENFELD: *The 'Dictatus' of Gregory VII* ('Mon. Greg.' p. 174) and a *twelfth century redaction of them in a manuscript at Avranches* [maintaining the genuineness

- of the former, and dating the redaction not later than the time of Innocent III].
- Akademie der Wissenschaften zu München**, Sitzungsberichte der philosoph. und hist. Classe, 1890. 3.—E. WÖLFFLIN: *The inscription of the columna rostrata* [B.C. 260].—S. RIEZLER: *On the history of the lordship of Waldeck (Hohenwaldeck) in the Bavarian alps*, with documents [1078–1080 and 1385].
- Archiv für Österreichische Geschichte** (Vienna), lxxvi. 1.—H. von ZWIEDEN-NECK-SÜDENHORST: *The alliance of Augsburg* [1686, an account of the negotiations], printing a letter from the French plenipotentiary at Ratisbon to the Swedish ambassador at Augsburg [18 June 1688].—G. TURBA: *On the emperor Charles V's expedition to Algiers* [with a detailed account of the authorities], with letters [1541].—F. ZWEIBÜCK prints *letters of the empress Maria Theresa and Joseph II.*, and *reports of count Anton Salm* [17 March 1760–16 January 1765].—F., RITTER VON KRONES: *Joseph, Freiherr von Simbschen, and the relation of Austria towards the Servian question* [1807–1810], with documents.
- Mittheilungen des Instituts für Österreichische Geschichtsforschung** (Innsbruck), xi. 3.—L. M. HARTMANN: *Notes on the Codex Bavarus* [the tenth-century Ravenna papyrus].—R. RÖHRICHT: *The crusade of king James I of Aragon* [1269], with a calendar of documents, accounts (at length), and extracts from necrologies of crusaders [from the first crusade onwards].—G. SEELIGER: *Studies in the history of the chancery*. II: The notariate of the imperial court and the archives left by Henry VII [with particulars concerning the history of the notariate and its restored activity under Henry VII, the formal rules governing the drawing up of documents, &c.].—J. GOLL: *Samo and the Carinthian Slavs* [raising a doubt as to their connexion, whether as subjects or allies, with his domain].—W. LIPPERT calls attention to a *diploma of king Rudolf of West Francia for Orleans* [referred to in a bull of Leo VII, 9 Jan. 938].—H. FINKE: *On the biography of the Dominicans, Hermann of Minden, Hermann of Lerbeck, and Hermann Korner*.—K. UHRLITZ: *Notes from the city archives of Vienna*.—L. FINKEL: *Recent works on Polish history*.
- Ergänzungsband**, iii. 1.—O. OPET: *The guardianship of the family in the Frankish popular laws* [maintaining that it is not traceable in the Salian nor, except in one element, in the Ribuarian law, and that the principle grew up through later Frankish legislation under the influence of the clergy].—A. F. PRIEBRAM prints *Thomas Ebendorfer's 'Chronica Regum Romanorum'*, books vi, vii [1346–1463], with a biography, an account of the sources of the earlier books, notes, and index.
- Delbrück's Preussische Jahrbücher** (Berlin), lxxvi. 3. September.—C. NEUMANN: *German history during the middle ages* [on Nietzsche's posthumous work].—H. WEBER: *Friedrich Wilhelm, Graf von Bismarck*, lieutenant-general in the Wirtemberg army [b. 1783, a biographical sketch of a distant cousin of prince von Bismarck, who served under lord Cathcart in 1805, and afterwards in the Wirtemberg service, in which he accompanied the French expedition to Russia, &c.; with an account of his political views and observations down to 1840].—G. KRÜGER: *A journey to the Holy Land in the fourth century* [from the recently discovered 'S. Silviae Aquitanae peregrinatio ad loca sancta'].
- Zeitschrift der Deutschen Morgenländischen Gesellschaft** (Leipzig), xlv. 2.—J. JOLLY: *Contributions to the history of Indian law*.
- ### CHURCH HISTORY
- Brieger's Zeitschrift für Kirchengeschichte** (Gotha), xii. 2.—TSHIHN: *The rise of the Roman church in the second century of the Christian era* ['a national creation of the Roman spirit'].—J. von PELUGK-HARTTUNG: *On the archive and registers of the popes* [dealing with the history of the collections].—G. FRANK: *The suppression of the Wertheim translation of the Bible by the imperial council at Vienna* [1737].—C. DE BOOR: *On the 'Notitiae episcopatum'* [the dates of their component parts, &c.].—O. SEEBASS: *On the 'Statuta Murbacensia'* [maintaining that they reproduce the conclusions of the Aachen synod of 816, and that these were expanded into the well-known 'Capitulare monasticum' of the following year].—L. WEILAND prints a *document on witchcraft* [c. 1200].—J. NEY prints *documents on the history of the diet of Speier* [1526], continued from vol. ix. and concluded.—E. BODEMANN prints *letters of Leibniz and official papers on the history of Antoinette Bourignon* [1680–1682].
- Theologische Quartalschrift** (Tübingen), lxxii. 3.—F. X. FUNK: *On the bull 'Unam sanctam'* [interpreting the word *instituere* ('spiritualis potestas terrenam potestatem instituere habet') in the sense of 'appointing,' 'establishing,' not 'instructing'].
- Hilgenfeld's Zeitschrift für Wissenschaftliche Theologie** (Leipzig), xxxiv. 1.—E. EGLI: *The day of the martyrdom of St. Polycarp* [celebrated in the west both on 26 Jan. and 23 Feb.] with extracts from martyrologies.

MILITARY HISTORY

Jahrbücher für die Deutsche Armee und Marine (Berlin), lxxvii. 2. November—*The wars of Frederick the Great* [dealing with the Silesian war of 1740-1742; a review of the work on the subject published by the German general staff].

Neue Militärische Blätter (Berlin), xxxvii. 5. November—C. STICHLER: *A tactical dissertation of Otto Christopher, baron von Sparr, first general field-marshal of the electorate of Bran-*

denburg [c. 1660, in relation to the Turkish war].

Streffleur's Oesterreichische Militärische Zeitschrift (Vienna). June—*The battle of Austerlitz* [a minute description].—*A sketch from the Austrian army* [1798-1889, an account of the career of Karl Edler von Anhoine].

Organ der Militär-wissenschaftlichen Vereine (Vienna), xli. 3.—*Studies on the equipment and commissariat in Napoleon's campaign against Russia in the year 1812, continued.*

III. GREAT BRITAIN AND IRELAND

Archæological Review, No. 181.—BUNNELL LEWIS: *Roman antiquities of the middle Rhine*.—A. H. SAYCE: *On a Hittite seal purchased at Smyrna*.—F. HAVERFIELD: *Roman inscriptions in Britain discovered 1888-1890, with illustrations*.—A. HARTSHORNE: *Tewkesbury abbey church*.

Church Quarterly Review, No. 61. October—St. Augustine's 'City of God.'—*Church and state under the Tudors* [on G. W. Child's book].

Dublin Review. 3rd Series. No. 48. October—MISS C. O'C. ECCLES: *The elopement of Clementina Sobieski* [and her marriage with James, the 'old pretender,' 2 Sept. 1719].—W. H. COLOGAN: *Father Mathew*.

Edinburgh Review, No. 352. October—*The new series of Reports of State Trials* [1820-1831].—FRAZER'S 'Golden Bough' [anthropological].

Law Quarterly Review, No. 24. October—W. F. CRAIES: *The compulsion of subjects to leave the realm* [examining the history and present state of the law as to compulsion to leave the realm on public service (civil employment, or military or naval service in peace or war), or in punishment for crime

(whether by abjuration of the realm, banishment, or transportation, by sentence of a court or as a condition annexed to the grant of mercy by the crown), together with other cases, as expulsion without conviction of crime, service in the mercantile navy, or under indenture of apprenticeship, &c.].

Quarterly Review, No. 342. October—Lord Chesterfield and his letters.—Sybel's 'Begründung des deutschen Reiches' [a narrative].—Sir Walter Scott's journal.

Scottish Review, No. 32. October—Major C. R. CONDER: *The early Christians in Syria*.—J. RHYS: *The mythographical treatment of Celtic ethnology* [exploring the traces of historical fact hidden in Celtic myths].—B. TAYLOR: *The disposal of the dead* [comparing the practices of different ages and races].—J. ANDERSON: *The wicked clan Gregor* [an account of the MacGregors from the fifteenth century to the reign of Charles II].—Lady Warriston [executed for murder in 1600; an account partly from a manuscript narrative by the clergyman who attended her in prison].

IV. HOLLAND AND BELGIUM

Bulletin de la Commission de l'Histoire des Eglises Wallonnes (The Hague), iv. 4.—A. J. ENSCHEDÉ: *Calendar of the resolutions taken by the estates general, the estates of Holland and West Friesland, the permanent committee of these estates, as well as by the council of state, in favour of the French refugees* [23 Dec. 1684-26 Oct. 1700, 18 July 1709, and 27 July 1715. Some of the documents are printed in full in French].—H. D. GUYOT prints the Dutch text of like resolutions taken by the town of Groningen [1620-1728, with summaries in French].—*Notes on huguenot genealogy and family history*.

Message des Sciences Historiques de

Belgique (Ghent), 1890, 2.—J. T. DE RAADT: *The seignories of the country of Malines: Keerbergen, continued* [1640-1826].—A. GALLEY-MIRY: *The repression of vagabondage in Flanders in the sixteenth century*.—W. DE HAERNE: *Notes on the old Flemish calendar* [names of the months, popular church festivals used as dates, times of session of the council of Flanders].—D. VAN DE CASTEELE prints documents on the battle of Fleurus [1622], with accounts of payments.—*Ordnances of Louis of Nevers, count of Flanders, on the manufacture of cloth* [1356].—*Notes on the topography of Ghent*.

V. ITALY

Archivio Storico Italiano (Florence), 5th ser. v. 3.—V. LAMI: *On an unpublished abridgement of the chronicle of Giovanni Villani in its relations with the Florentine history of the Malespini* [with collations; confirming P. Scheffer-Boichorst's conclusion that the 'Florentine History' is later than Villani, but not agreeing with him that the greater part of it is directly derived from him].—L. CHIAPPELLI: *The Rossi-Cassigola collection of manuscripts, &c., illustrating the history of Pistoia.*—Calendar of Strozzi charters, first series, continued.

Rivista Storica Italiana (Turin), vii. 3.—O. M. TESTA: *The church of Naples in its relations with Gregory the Great.*—I. SANESI: *John of Procida and the Sicilian Vespers* [resuming the controversy as to John's share in the revolution, accepting to a large extent Amari's view of his character and career, but maintaining the existence of the conspiracy in which he was a prominent actor antecedent to the Vespers].

Archivio Storico Lombardo (Milan), xvii. 3.—Z. VOLTA: *The academical degrees conferred in the 'studium generale' of Pavia under the Visconti rule*, with a number of lists of graduates [1372-1423] and diplomas [1374-1442].—G. ROMANO: *The relations of Filippo Maria Visconti with the Turks* [partly from unprinted materials].—A. LUZIO & R. RENTIER: *The relations of Isabella Gonzaga with Ludovico and Beatrice Sforza*, concluded [1495-1500],

with documents.—L. ZERBI: *The signora di Monza in history*; notes and documents [on Marianna de Leyva, known from the 'Promessi Sposi'].—C. AGUILHON: *Topographical notes on Monza*, in connexion with recent archaeological discoveries.

Archivio Storico per le Province Napoletane, xv. 3.—N. BARONE: *Historical notices extracted from the registers of the court in the Angevin chancery*, continued [1 Sept. 1497-17 Oct. 1498].—B. CROCE: *The theatres of Naples from the fifteenth to the eighteenth century*, continued.—G. RACIOPPI: *The topography of the Basilicata in the thirteenth and fourteenth centuries.*—B. CAPASSO: *The Vicaria vecchia [or ancient law-court] at Naples*, concluded.—G. DE PETRA: *Latin inscriptions discovered at Naples.*—*An unknown eruption of Vesuvius* [787].—N. PARISIO: *Description of charters* [1253-1256] formerly belonging to the family of Fusco; continued [Nos. excvi.-ccxi.].

Archivio Veneto, xxxix. 1.—*Chronological index to the 'Archivio,' i.-xxxviii.*—V. MALAMANI: *Giustina Renier Michel and her times*, concluded.—C. CIPOLLA: *Statutes of the country of Verona: general remarks* [resuming the results of previous articles].—C. CASTELLANI prints a list of the 'arts' in Venice [1271-1303].

Rivista Militare Italiana (Rome).—August.—Captain E. BARONE: *The invasion of France in 1814* [a general and tactical study], concluded.

VI. RUSSIA

(Communicated by W. R. MORFILL)

The Antiquary (Starina).—September.—*Correspondence of Nicholas Karamzin with Prince Trubetskoi.*—October.—*Memoirs of Natalia Ogareva-Tuchkova* [containing interesting details of Bakunin and others].—Lieut.-general MARKOV: *Recollections of military service* [1828-1835].—K. SCHILDER: *An episode of the battle of Austerlitz*, 1805 [with a letter of prince Repnin, who was wounded and taken prisoner, describing his interview with Napoleon after the battle].—Baron BÜHLER: *The empress Maria* [widow of Paul; an account of her charities, from the papers of the French general Savary].—Prince N. GOLITSIN: *The foundation of St. Petersburg* [1703-1890].—THE EDITOR: *The village Nadeshchino and the archives of prince Kurakin* [an account of the valuable documents

there, with an extract from a paper on Peter the Great and his government, written in 1723-1727].—November.—A. KNAZEV: *Pskov and its antiquities.*—A. MIKHAILOVSKI - DANILEVSKI: *Letters on the accession of the emperor Nicholas* [giving an account of the conspiracy of the Dekabrists].

The Historical Messenger (Istoricheski Vestnik).—September.—A. BRÜCKNER: *Zelmira: an episode of the reign of the empress Catherine II* [continued].—E. GABSHIN: *A Russian Gracchius of the last century* [Kozodavlev, a labourer in the cause of Russian education and liberal ideas].—A. VOSTOKOV: *Petrusha Gertsik: a sketch of manners in the first quarter of the eighteenth century* [an old Russian law case].—Kazimir [description of this town in Russian Poland, famous for the execu-

tion of the unfortunate Patkul].—P. POLEVOI: *Some unexplained antiquities* [with plates of curious objects found in Kurgans].—October.—A. MIKHAILOVSKI-DANILEVSKI: *Memorials of the year 1812* [many curious details of this important year from the general's diary].—M. PILAEV: *Historical bells* [those of Pskov, Moscow, &c.].—November.—A. TITOV: *The Pestcherski monastery of Nizhni-Novgorod* [founded 1329].—Y. IVERSEN: *Satirical medals relating to the northern war* [between Peter the Great and Charles XII, with engravings of nine medals].

Journal of the Minister of Public Instruction (Zhurnal Ministerstva Narodnago Prosviestchenia).—September, October, November.—P. MILUKOV: *The economic condition of Russia with reference to the reforms of Peter the Great*.—September.—V. REGEL: *The chronicle of Cosmas of Prague* [continued].—P. ZUBOVSKI: *Contributions*

to the biography of Stephen Medvedev [the founder of the Zaikonospasski monastery at Moscow towards the close of the seventeenth century].—October.—A. PAVLOV: *An unpublished twelfth-century document of Russian ecclesiastical law* [preserved in the public museum of Moscow].—A. BRAUDO: *The letter of Taube and Kruse to duke Kettler* [an examination of this document, which is one of the chief authorities for the atrocities of Ivan the Terrible].—November.—A. BARBASHEV: *The peace of Thorn, 1411* [between the Teutonic knights and Poland after the battle of Grünwald].—E. KARSKI: *Materials for the study of the manners and language of the Russian inhabitants of the north-western districts collected by P. Shein* [important for the history and language of White Russia].—V. MILLER: *Materials to illustrate localities and races in the Caucasus.*

VII. SPAIN

Boletín de la Real Academia de la Historia, xvii. 1-3.—A. M. FABIÉ prints an interesting series of letters from Juan de Zumárraga, bishop of Mexico, to Charles V and others [1536-1548].—F. FITA and J. VILANOVA describe the protohistoric remains of Espolla and Colera in the province of Girona.—F. FITA: *The Jewish cemetery at Seville.*—Deeds relating to the gift of an estate on Monjuich to the church of Barcelona by Guillén Berenguer, ex-bishop of Vich [1111].—R. SANTA MARIA: *Notices of Jewish buildings at Alcalá de Henares.*—Among the notices are letters from Spain [1581-1584] by San Luis Gonzaga.—4.—M. DANVILA: *History of the Cortes of*

Philip IV, continued [printing the proceedings of the Cortes of 1655-1658, and of 1660-1664. These contain as usual much interesting material relating to finance and taxation, and an account of a challenge to a duel given within the hall of the Cortes].—A. STRINDBERG: *The relations of Sweden with Spain and Portugal* [giving data relating to Spanish members of the Dominican convent of Stockholm in the thirteenth century, and the relations of Christian II, Gustavus I, and Christina to the Iberian kingdoms].—F. FITA contributes documents concerning the Cortes of Barcelona [1327] and a work on forтификаtion attributed to Alfonso the Wise.

VIII. SWITZERLAND

Anzeiger für Schweizerische Geschichte (Bern), 1890. 1.—W. GISI: *Leo IX's family connexions with Switzerland*; with a note on the descent of count Gerold of Geneva [not proved to be of the house of Egisheim].—W. GOLTHER prints from a Munich manuscript a poem on the Swabian war of 1499 [written from the Austrian point of view].—W. OCHSLI: *Cysat and the federal religious concordat of 28 January 1525* [arguing that Cysat, who was town clerk of Luzern about 1599, falsified Huber's draught of the document].—Major H. CAVIEZEL notes the names of Switzers whose arms are emblazoned in the university building of Padua.—

T. VON LIEBENAU collects notices of popular Swiss songs and proverbs, continued in the following number.—2, 3.—Dr. WANNER: *On a document of count Eberhard of Nellenburg* [1056] in the town archives at Schaffhausen [printing a corrected text, with a commentary].—H. ZELLER-WERDMÜLLER: *On the count Rudolf of Rapperswyl who died in 1262.*—T. VON LIEBENAU: *On the biography of Jörg uf der Flüe* [1527], with documents.—THE SAME prints a Latin poem on the death of Frederick III.—A. STERN: *Notes on the poem on the Swabian war* printed in the previous number [showing it to be the original of a passage in

Sebastian Franck's 'Chronica'.——4, 5.—*Letter from the town of Fribourg to that of Zürich* [1366].——H. TÜRLEH prints an ordinance of the town of *Inuzern* [28 May 1427].——E. von MURALT: *The death of Hans Waldmann* [1489].——T. VON LIEBENAU: *Hans Junker of Rapperswyl* [an officer in the French service, who died in 1538].——H. HERZOG: *Aegidius Tschudi's visit to Rome* [placing it in 1540 according to a reference of Glareanus].——J. BAECHTOLD prints letters to and concerning *Johannes Stumpf*.——T.

VON LIEBENAU prints a brief account of the battle of *Ivry* [1590].——A. MAAG prints letters on *Henzi's conspiracy at Bern* [1749].——L. TOBLER: *Additional notes on Swiss popular songs*.——G. M. points out that the Swiss coat of arms is mentioned so early as in *Ottokar von Steier's Reimchronik* under 1298.——J. L. BRANDSTETTER: *The name 'Schiltwald'* [used in a document of 1398].——R. DURER prints a document of 1557 relating a dispute between a *landammann* and a *hangman*.

IX. UNITED STATES OF AMERICA

Magazine of American History (New York). *September*—J. FRASER: *The battle of Queenston heights* [1812].——*October*—T. W. DWIGHT: *The American flag* [its origin, 14 June 1777].——H. E. BANNING: *An account*

of Roger Williams.——*November*—MRS. M. J. LAMB: *Early discoveries in America* [with map, &c.].——R. B. COUTANT: *The action at Tarrytown* [1781].

Errata.

In vol. v. p. 799, line 10, read 'best work in English on Swiss Federalism.'

" p. 800, line 15 from bottom, for 'natural' read 'national.'

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The Unity of Germany

THE sudden rise to the rank of a first-rate power of a country much renowned for its poetry, its learning, and its industry, but seeming still in 1865 to be politically hopelessly divided, is an event of such importance, that every publication contributing to the explanation of this phenomenon is to be welcomed alike by the historian and the politician. Three recent books all so contribute, but each in a different manner. By far the most important is the great work of Dr. von Sybel,¹ who was the first to have access to the modern Prussian archives, and the registry of the Foreign Office of the last fifty years. His book is tinged with a certain partiality for Bismarck, which sometimes leads to erroneous statements, and which is the more curious as the author was that minister's most bitter adversary during the constitutional conflict; but his five volumes nevertheless contain many important revelations, and at the same time correct erroneous current opinions, not only on German but on general European affairs, so that the book claims the attention of foreign readers.

The first book contains a retrospective introduction from the earliest times till 1848. Such bird's-eye reviews, embracing many centuries, offer particular difficulties; the outlines of the development can only be given in decisive outline, and yet every sentence must be unassailable as the result of deep study. Macaulay and Ranke were masters in this art, but we scarcely think that the same can be said of Sybel's first chapter, which, in fact, is the quintes-

¹ *Die Begründung des deutschen Reiches durch Wilhelm I.* Vornehmlich nach den preussischen Staatsakten. Von Heinrich von Sybel. 5 vol. Berlin, 1890.

Lévy-Bruhl, *L'Allemagne depuis Leibnitz.* Essai sur le développement de la conscience nationale en Allemagne, 1700-1848. Paris, 1890.

André Lebon, *Etudes sur l'Allemagne politique.* Paris 1890.

sence of his former pamphlet, 'The German Nation and the Empire.' The author represents the latter as a mere misfortune for the nation (the colonisation of the East excepted), because it led to the dismemberment of Germany. But he has not proved that it was always a misfortune and was from the beginning destined to lead to such a result, this view (according to our opinion) being refuted by Mr. Bryce's excellent book, 'The Holy Roman Empire.' Bryce justly distributes light and shadow in the history of the empire, and shows what, with all its failures, the nation has gained by its intellectual fructification. Ideas which have governed centuries cannot be condemned retrospectively because they have led to a melancholy end; the Crusades also resulted in a victory of Islam over Christianity, yet who would designate the enthusiasm which inspired the European nations for conquering the Holy Land simply as a great folly? It is the same with the empire; under Conrad II and Henry III Germany was much more strongly constituted than either France or England; her decisive misfortune was the fate which brought a foreigner, Charles V, to the throne at the moment of the Reformation. At that time religious thought was paramount, and if the conqueror had placed himself at the head of the movement, it would have become the most powerful instrument of unification. But the bigoted Spaniard had no comprehension of the Lutheran doctrine; nay, he did everything to put it down by force of arms, and thus the reformers were obliged to appeal to the princes and the senates of the free cities of the empire for protection. The emperor was unable to overcome that resistance, and the Diet of Augsburg (1555), leaving the decision of the religious question to the estates of the realm, confirmed the particularism which more and more broke up the empire. The counter-reformation, inaugurated by the Jesuits and the Habsburg emperors, led to the thirty years' war, in which Germany bled to death for the cause of religious liberty, losing two thirds of her inhabitants; and though the emperor did not succeed in re-establishing the paramount dominion of Catholicism, the country emerged from the struggle exhausted and divided, crippled of some of its most valuable territories, to be for centuries the playground of French encroachments and of foreign influence. The imperial dignity had become a nullity, and the idea of a common fatherland had nearly entirely disappeared. There was only a policy of the house of Austria, no German policy; but on the other side Frederic the Great also thought only of Prussian interests, and it was merely the opposition against Austria which led him to found at the end of his life the league of German princes.

Sybel's sketch of the gradual rising of Prussia under her great sovereigns, and the miserable policy of their successors, which led to Jena, is excellent, but we need not enter upon it here. Suffice it

to say that at the beginning of this century the political impotence of Germany was at its height. Austria and Prussia had been deprived by Napoleon of their most valuable provinces; the other states were either simply embodied in the French empire or formed the Confederation of the Rhine under the protectorship of the foreign conqueror, who wanted states too weak for resisting his will, yet strong enough to resist the influence of Prussia or Austria, and therefore inclined to lean upon France. How Prussia, reduced to five millions of inhabitants and crushed by the exactions of Napoleon, who drew from the impoverished country more than a milliard, rose again by the reforms of great statesmen and generals, and, supported by all the living national forces, shook off the foreign yoke, has been well told in Professor Seeley's book, 'The Life and Times of Stein.' But it is melancholy to see how this heroic struggle was deprived of its natural results by Metternich's insidious statecraft, aided by the middle states, to whom he guaranteed, as price of their defection from Napoleon, the maintenance of their actual territories. Thus, at the congress of Vienna, any constitution of real force was hopeless from the beginning, and the German Confederation of 1815 was only an international union of independent states. Neither were the hopes of the patriots for the internal development fulfilled. In Prussia particularly, the narrowness of Frederic William III, who at the moment of danger had solemnly promised to grant a constitution to his people, was frightened by Metternich and his auxiliaries at Berlin, representing every popular legislature as a danger to the crown. As to the foreign policy, Prussia, after unprecedented exertions, wanted certainly a long peace for recovering, but it was not in her interest, as she did, to participate in the reactionary policy of Austria and Russia. An unimpeachable witness, Prince William of Prussia, the late emperor, in 1824 wrote to General von Natzmer :

As regards our external situation, I must with regret completely share your views. If the nation had known that eleven years after having reached a position of splendour, glory, and prestige such as rarely has been seen, only a remembrance and no activity would remain, who would have sacrificed all for such a result? The mere question solemnly obliges us to maintain to a people of fifteen millions the place which it has attained by exertions hitherto unheard of, and which will not be seen again.

The press was entirely fettered by the censorship. The Austrian chancellor succeeded in uniting the delegates of the larger estates, 'in order to exterminate from German heads the infamous idea of German unity once for all,' and the Prussian government allowed itself to be taken completely in tow of this policy by persecuting with particular harshness the somewhat immature, but certainly not dangerous, aspirations of the younger generation.

The internal administration, however, particularly in Prussia, greatly improved; a rational system of taxation was introduced, and the Prussian tariff of 1818 was of such unprecedented liberality that its success was invoked by Huskisson in his financial reforms. No one, however, even at Berlin, thought at that time, that this was the first step towards a great national development; the government acted simply under the pressure of financial necessity, but just for this reason it remained firm, in spite of the contradiction of other German governments and Austria. After re-establishing the equipoise of the budget, the able finance minister Von Motz concluded in 1828 the customs union with Hesse-Darmstadt, which was followed by commercial treaties with Bavaria and Würtemberg, the forerunners of subsequent union. Thus Prussia, compelled by its own interest, rather unconsciously laid the groundwork of the Zollverein, which was gradually to embrace nearly all Germany, and during the long peace greatly helped to increase the wealth of the country and with it the self-confidence of the middle classes.

The reaction of the July revolution of 1830, followed by that of Belgium and the insurrections of Poland and Italy, was powerful in Germany, and showed how deep was the discontent brooding under the leaden cover imposed upon the nation. The king of Prussia, who had helped his son-in-law, the Emperor Nicholas, to extricate himself from a perilous situation in the Turkish war and to obtain the advantageous peace of Adrianople (1829), (for which signal service the emperor rewarded his father-in-law by making a compact with Charles X which abandoned to France the left bank of the Rhine), wisely declined the insidious advice of Nicholas to re-establish Charles X by force of arms, and Europe was obliged to acknowledge the independence of Belgium. But although some sovereigns of Germany were compelled to make concessions to constitutionalism, Metternich succeeded once more in fettering the press and in restraining the king of Prussia from granting the long-promised constitution. Sybel says well: 'If you destroy the conception of fatherland in a rising generation, the consequence is that the intellectual movement becomes unpatriotic.' The national deception drove the people into cosmopolitanism and particularism. The constitutional development in France found eager sympathy, and the portrait of Canning, who had successfully opposed the reactionary league, was found in German houses by the side of that of Blücher.

This was the situation when in 1840 Frederic William III died, mourned by his people notwithstanding all his failures, and with his successor began a new era. Frederic William IV was a highly gifted man, learned himself, a lover of arts and science, and gifted with a charming personality. Unfortunately these talents were not supported by corresponding common-sense and strength of will. 'You cannot reason with the king' was the observation of an

English diplomatist. He would have made a capital professor, but *il ne savait pas le métier de roi*, speaking too much and not knowing to act at the right moment. He roused the highest expectations by his inaugural addresses, but did not fulfil them. He had feudal views opposed to the wants of the time; but, above all, filled with the highest conceptions of his divinely instituted dignity, he objected to any restriction of his power by constitutional limits. Even when at last he convoked in 1846 the United Diet, he insisted that this was an act of grace on his part, and that the Diet should only be allowed to grant new taxes and loans, saying that no leaf of paper should intrude between him and his people. But the power of circumstances was stronger. The Diet, composed of eminently moderate men, demanded the unconditional acknowledgment of the royal constitutional promises of 1815 and 1820, and declared that these were not fulfilled by the way in which it was summoned, and so its deliberations ended in a failure for the crown. In other states also the tide of liberalism was rising. The reforms of Pio Nono, the mission of Lord Minto to Italy, the war of the Sonderbund, which ended by a defeat of Metternich's and Guizot's reactionary policy, the fermentation in Austria itself, proved by the Galician massacres of 1847, contributed to make the whole edifice erected in 1815 and scantily recobbled after 1830 crack in all its joints. Yet who in the autumn of 1847 would have thought of its general cataclysm, when General von Radowitz, sent to Paris by his master, wrote that Louis Philippe's throne was founded on a diamond rock, and Disraeli in 'Coningsby' believed that he had discerned in that king the modern Odysseus?

The effect of the February revolution on Germany was that of a spark on a barrel of powder. Everywhere the frightened sovereigns capitulated before the excited masses, which, however, had little material power to enforce their demands. Stung by an evil conscience, they were ready to condemn their whole former policy. The king of Bavaria alone abdicated, as he would not play the part of a shadow upon the throne. No one thought of invoking the help of the Diet, struck with impotence, and it was in Austria itself that Metternich's formerly much-admired system was shattered to pieces like a house of cards.

Prussia was in a different position with an efficient administration and a strong army, both being perfectly able to put down any insurrectionary movement; and if the king had at once summoned the united Diet, it would probably have proved the best support of his throne. But he could not make up his mind, precious time was lost, and on the other side all revolutionaries discerned that the Prussian monarchy was their most powerful adversary. So, on March 18, an insurrection broke out at Berlin; the garrison was perfectly able to master it, and General

von Prittwitz was on the point of doing so, when the king, in spite of the protests of the prince of Prussia, gave the fatal order of withdrawing the troops, because he could stand no more bloodshedding. The revolution triumphed at Berlin as it had done at Vienna, and persuaded by his new foreign minister, Heinrich von Arnim, the king tried to recover the lost ground, by running on horseback through the streets of Berlin, girded with the German colours, and proclaiming that he would take the lead in the days of danger—a task to which he was utterly unequal.

In the meantime, Frankfort had become the centre of the movement. The helpless Diet had acknowledged the necessity of a German parliament, and had summoned twelve men of confidence charged with drawing up a new imperial constitution. But it was unable to supply what was most wanted—a strong executive. According to the nature of things, this ought to have rested in the hands of the king of Prussia, but he was too unpopular to be thought of, and, moreover, his ideas for the future were perfectly unpractical, for, notwithstanding all that he suffered from Austria, he wanted to transfer to her sovereign the imperial crown, and was satisfied for himself with the part of hereditary imperial commander. His personality made it hopeless to create a monarchical head with a man who did not want to be so; besides, apart from his antiquated views, his disinclination was rooted in the feeling that he had not the necessary strength for coping with the difficulties of the situation. ‘I am not a great sovereign; Frederic II would have been your man,’ he said somewhat later to Stockmar, who pressed him to act energetically.

In the Frankfort parliament, which was hailed with the highest national expectations, Gagern soon became the leading man. Patriotic and eloquent, he, however, lacked the decisive gift of statesmanship, of discerning the real condition of things and acting accordingly, so that Bismarck, the stern realist, whom he met later on, declared him to be, in his rough manner, ‘a perfectly stupid fellow’ (*das ist ja ein ganz dummer Kerl*). Instead of establishing before all a strong executive able to control and to realise its resolutions, the Assembly lost months in discussing the fundamental rights of the German people, and thus was overhauled by the events. In June, Prince Windischgraetz crushed the insurrection at Prague; and in November the anarchy which had prevailed during the whole summer at Berlin was put down, when Count Brandenburg became first minister. Sybel seems to believe that this was the effect of Bismarck’s advice, but this is an error; Bismarck at that time was a young man not in office, and without influence with the king; he may have spoken in that sense, but the real author of the plan to place Brandenburg at the head of affairs was General von Gerlach, the most influential adviser of the king,

who secretly went to Breslau in order to appeal to the general, hitherto a simple soldier who had never meddled with politics, to undertake the formation of an energetic ministry. In this task, Brandenburg, although no statesman, succeeded, and the anarchical Prussian assembly, which had overthrown one ministry after the other, was dissolved. The struggle for crushing the revolution was more difficult at Vienna, but at last Prince Windischgraetz took the capital by storm, the feeble Emperor Ferdinand abdicated in favour of his nephew Francis Joseph, and the energetic Prince Schwarzenberg became prime minister. The ebb of revolution had set in.

Schwarzenberg declared as soon as he had taken the reins, that his programme was to maintain the unity of the Austrian empire, and demanded that the whole of it should enter into the Germanic confederation. This was incompatible with the federal state as contemplated by the National Assembly, and therefore Gagern, who had become president of the imperial ministry, answered Schwarzenberg's programme by declaring that the entering of the Austrian monarchy with a majority of non-German nationalities into the German federal state was an impossibility. Thus nothing was left but to place the king of Prussia at the head of the German state. But in order to win a majority for this plan Gagern found it necessary to make large concessions to the democratic party, amongst others universal suffrage. This was not calculated to make the offer of the imperial crown acceptable to Frederic William IV, but his principal reason for declining it was, that he would not exercise any pressure on the other German sovereigns, and that, notwithstanding Schwarzenberg's haughty demeanour, he could not make up his mind to exclude Austria from Germany. After the refusal of the crown by the king, the National Assembly was doomed; it had certainly committed great faults, but the decisive reason of its failure was the lack of a clear and resolute will in Prussia. History, however, teaches that great enterprises, such as it was to unify an empire dismembered for centuries, rarely succeed at the first attempt. The capital importance of the events of 1848 was that they had made the German unionist movement an historical fact; it could never be effaced from the annals, that all the German governments had publicly acknowledged that tendency as legitimate, the direction for the future was given, and even at the time of failure it was certain, as Stockmar said, that the necessity of circumstances would bring forward the man who, profiting by the experiences of 1848, would fulfil the national aspirations.

We need not follow here the abortive attempts of Frederic William IV to bring about a union by the free consent of the German governments. This very principle made his task hopeless; for unity could only be achieved by sacrificing parts of the sovereign rights

of the single states, and no government would do so voluntarily. The German princes had submitted to the Frankfort parliament, so long as they feared it; but although the insurrectionary movements which followed its dissolution had been put down in Saxony, Baden, and the Palatinate by Prussian arms, the king promising that he would not exercise any pressure upon his brother sovereigns, the final result was that he was left in the cold with the small fry of third-rate states. The decisive factor, however, was Austria; if Frederic William had been a man of resolution, Prince Schwarzenberg, with all his haughtiness, would have been obliged to come to terms, for in 1849 the Austrian army had been decisively beaten by Görgey and Klapka. But the king abhorred profiting by the victories of the revolution, and lost precious time with useless negotiations at Vienna, till Russia intervened and crushed the Magyars. As soon as Schwarzenberg had thus become master in his own house, he turned against Prussia by convoking the old Diet at Frankfort. To this even the king would not submit; but the Emperor Nicholas, elated by his victory in Hungary, threw the whole weight of his dominating position into the scale against his brother-in-law. He pleased himself in playing the part of the great destroyer of revolution; he had sneered at Frederic William's promenade in the streets of Berlin, saying, '*Nous n'avons plus besoin de Legendre* [a famous circus performer]; *je ferai venir monsieur mon beau-frère.*' He had even, what Sybel omits to state, proposed in May through his minister at London to the prince of Prussia, then a fugitive at Carlton Terrace, to place himself at the head of a Russian corps and march upon Berlin in order to re-establish order. When the prince indignantly declined this plan, he repeated it in autumn, 1848, to General Count Dohna, commander at Königsberg, and placed four Russian corps at his disposition. But, above all, he was bent on putting down the insurrection of the duchies of Schleswig-Holstein, which had risen to defend their constitutional rights against Denmark, and had received the assistance of Prussia. Lord Palmerston, in 1848, had taken the very sensible view that this quarrel was, above all, a question of nationality, and had proposed to embody the northern third of Schleswig which was predominantly Danish, in Denmark, whilst the two southern thirds, which were German, should be united to Holstein as a German state. But neither the Danes nor the duchies would accept this proposition. Now the secretary of foreign affairs had brought himself into a difficult position by his overbearing conduct in the Don Pacifico affair. Russia had blamed his proceedings in a despatch of unusual bitterness, the House of Lords had passed a vote of censure on his policy, and in the Commons he had a narrow escape. Above all, the French ambassador had been recalled and the *Moniteur* had declared that his presence was no longer com-

patible with the dignity of the republic. In this awkward position, Baron Brunnow stepped in, offering Russia's mediation, if England would bind herself to maintain the integrity of Denmark. This Palmerston accepted; a compromise was made with France on the Pacifico affair; Louis Napoleon acceded to Russia's demand for Denmark; Austria soon followed; and Prussia, which refused, was isolated.

The final crisis was brought about by the Hessian conflict. The elector, one of the worst of sovereigns, had undertaken to abolish the constitution, and, when he was unable to overcome the resistance of his people, invoked the help of the re-established Diet. The Berlin cabinet declared that it would not tolerate an armed intervention. Schwarzenberg replied that he would meet force by force, and concluded a military league against Prussia with Bavaria and Württemberg. In this strait the king, who at the bottom of his heart detested the resistance of the Hessians and abhorred war, sent his premier to Warsaw in order to try to come to an understanding with Nicholas. Sybel completely destroys the legend, hitherto generally accredited, that Count Brandenburg was treated rudely at that meeting; he proves from the archives that the Prussian premier was, on the contrary, most courteously received, and in his conversation with the emperor arrived at the conclusion that the questions dividing Austria and Prussia were not worth the stake of war, for which the latter power was ill prepared. At his return, General von Radowitz, minister of foreign affairs, declared that yielding to the Austrian demands would be incompatible with military honour. The mobilisation of the army was decreed, and the Prussian troops entered the north of Hesse, whilst the Bavarians advanced from the south. War seemed imminent; but at the last moment the king yielded again, notwithstanding the protests of the prince of Prussia, before the menaces of the Austrian minister, Baron Prokesch, who asked for his passports, if Prussia would not immediately withdraw her troops from Hesse. Radowitz resigned, and the minister of home affairs—Baron Manteuffel, who had acceded to Brandenburg's views—was sent to Olmütz to make a compact with Prince Schwarzenberg, in which Prussia yielded nearly everything. It was the most signal defeat which she ever suffered without having been beaten in the field. The duchies, to which the king had solemnly promised his assistance for maintaining their rights, were delivered up to Denmark; Bunsen signed the London Protocol of 1852, establishing the integrity of Denmark; the Hessian constitution was abolished; and, after abortive conferences at Dresden for a reform of the confederation, the old Diet was simply re-established. If, fortunately for Prussia, the entering of the whole Austrian monarchy into the confederation was avoided, it was due to the protest of England and France,

Lord Palmerston declaring the plan to be contrary to the act of the congress of Vienna, and dangerous to the European equipoise. The only thing which Prussia saved in the general shipwreck was the maintenance of the Zollverein, which even was enlarged by the accession of Hanover.

During the following years, arbitrary government prevailed throughout Germany, and we have only to mention the episode of the Crimean war, as far as it touched the two great German powers. That conflict showed that the interests of Austria and Prussia in the eastern question entirely differed. For Austria it was indeed of vital importance that Russian influence should not predominate in the Balkan peninsula. Metternich had opposed to the utmost the Russian encroachments of 1828; but, unsupported by England and threatened by Charles X that if Austria should take up arms against Russia a French army would enter Lombardy, he had not dared to act. Now matters stood altogether differently: England and France being at war with Russia, it soon appeared that the help of Austria would be of inestimable value to them, so that the cabinet of Vienna might ask any terms for its alliance, and that at the same time it would be able to cripple thoroughly Russia's dangerous position in the east. Prince Schwarzenberg, who, after Austria's rescue by Russia, had said that she would astonish the world by the might of her ingratitude, probably would have seized that opportunity; but he was dead, and his weak successor could not make up his mind for a clear and decisive policy. Count Buol went just so far with the western powers as to incur Russia's lasting enmity, and yet recoiled every time when France and England expected him to act. The end of this shortsighted policy was that Austria sat between two stools. Prince Gortchakov vowed that he would have his revenge on the infamous government which had suggested the cession of a part of Bessarabia, whilst it was accused by Napoleon of having deceived him.

The position of Prussia in this complication was altogether indifferent. It was not indeed her interest to abandon Constantinople to Russia, for, as Frederic the Great had said, in that case the Russians would be the next morning at Königsberg. But this danger was out of the question, since the western powers protected the Turkish capital, and to go to war for English or Austrian interests without a sufficient compensation would have been an insane policy, the more so since Prussia would have had to bear the principal weight of the contest. Bismarck therefore, who as minister of the Diet of Frankfort had soon been healed of his former Austrian sympathies, advised his government to observe a strict neutrality, and this was certainly the true course for Prussia. But at that moment his influence was not decisive. Russia had powerful

advocates amongst the persons surrounding the king, who on the other hand disapproved of the aggressive policy of Nicholas; he had leanings towards England as a protestant power, he would not abandon Austria, and suffered himself to be dragged into compacts with her which went far beyond the Prussian interests. The result was a wavering policy which ended in the humiliating position of the Prussian delegates having to wait admittance at the congress of Paris, after all great questions had been virtually settled. Nevertheless the neutrality was maintained. Russia was thankful for it, and the western powers found that Prussia at least had not deceived them by holding out fallacious hopes. This maintenance of good relations with Russia was destined to become afterwards a very important factor in the war for the unification.

In autumn 1857 the king was taken seriously ill, and his brother, the prince of Prussia, became first his representative and a year afterwards regent. Thus unexpectedly called to power in his sixtieth year, he inaugurated a new era for Prussia by dismissing the Manteuffel ministry and surrounding himself with more liberal councillors. Yet it would have been a great mistake to believe that he had turned a liberal; he was on the contrary a man of strong conservative views, although not blind to the requirements of the time; his decisive reason for changing the ministry was that Manteuffel was the representative of Prussia's humiliation at Olmütz, and his conviction that she must become the leading power in Germany. His new ministers could only succeed if they were able to raise Prussia's position in Europe, and for this end an excellent opportunity presented itself by the Italian complication, which immediately followed the establishment of the regency. In face of the approaching war there was but one alternative for the Berlin cabinet: either to offer its alliance to Austria on the condition of having fair play for forming a German federal state, or, if this was refused at Vienna, to come to an understanding with Napoleon for observing a strict neutrality as long as the war remained confined to Italy, on condition of reopening the question of the duchies and settling it in a national sense, an eventuality which the French emperor himself offered by sending the Marquis Pepoli, brother-in-law of Prince Hohenzollern, president of the council, to Berlin. But Baron Schleinitz, minister of foreign affairs, could not make up his mind for either course. He indeed refused the haughty demands of the Vienna cabinet, which aimed at nothing less than establishing Henry V on his throne, and he withstood the middle states which asked simply to side with Austria; but he lost his time by fruitless attempts at mediation, while both contending parties were resolved to go to war. The mobilisation of the army, which finally the regent forced upon him, he called an armed mediation, an unclear expression

for a nebulous policy, and thus was overtaken by the preliminaries of Villafranca.

The regent keenly felt that a great chance had been lost, but above all the late events had confirmed his conviction that the first condition of a vigorous policy was a thorough reform of the army, the defects of which had become evident to him by the mobilisation in 1851 and 1859. The population had vastly outgrown the frame on which reposed the constitution of the army of 1815 ; the number of men liable to service had risen from 40,000 to 65,000, yet the regiments could only receive 40,000, so that 25,000 remained entirely free, whilst the men who had served remained liable till their thirty-second year, which was a manifest injustice. After long deliberation the regent came to the conclusion that the number of recruits should be raised to 63,000, which involved an increase of 32 regiments of infantry and 6 of cavalry of the line. On the other hand the landwehr of the first *arrière-ban* was to be divided into two parts, its three younger annual courses should enter into the reserves of the line regiments, whilst the older ones should form the second *ban*, only to be called out in time of war for the service of the fortresses.

The excellence of this reform is to-day uncontested, and has been proved in the subsequent great wars, but its execution required an additional outlay of about 1,200,000*l.* Prussia's flourishing finances could well afford to bear this expense, but the consent of the Diet was necessary for the new charges. That consent might well have been obtained by adroit management if the government had come to an understanding with the parliamentary leaders, making them understand that an effective army was the condition of success for the more active policy which all desired. But ministers did nothing of the kind ; the bill of reform came as a surprise, and the finance-minister Von Patow, in order to soothe the opposition, assured that the cost would be only about 250,000*l.* A still more grievous fault of the government was that, unable to overcome the resistance of the majority, which was ready to accept the increased recruitment, but demanded the reduction of the time of service from three to two years, it proposed a provisional grant of 130,000*l.* for maintaining the efficiency of the army, declaring this would be in no way prejudicial to the final settlement of the question. But shortly afterwards at the advice of General von Manteuffel, chief of the military cabinet, who wanted to overthrow the liberal ministry, the new regiments were definitely formed and their officers appointed. The opposition considered this, of course, as an evasion of the former pledge, and the ministers obtained next year with great difficulty a new provisional grant. In the following session they were decisively beaten, and resigned. Their successors dissolved, but the elections turned completely against them, giving an overwhelm-

ing majority to the progressist party, which, after stormy debates, refused all expenses for the army reform. William I (his brother having died in the meantime) was thus brought into a position of great difficulty; he would on no account abandon the great task upon which he had set his mind, yet, at the moment of the crisis, his two principal ministers, Count Bernstorff and Von der Heydt, resigned, because they dared not defy the vote of the House, and the crown prince sided with them. He thought of abdicating, when Bismarck, then ambassador at Paris and staying on leave in the south of France, appeared at Potsdam, called by a telegram of the minister of war, General von Roon: 'The pear is ripe.' He strongly opposed the idea of abdication, and, the king asking him whether he was ready to govern without a majority, answered affirmatively. He was appointed president of the council, but his endeavours to make his peace with the house remained without a result, as the king would not hear of concessions, nor were the leaders willing to listen to his proposals in which he declared that the unity of Germany could only be brought about by fire and iron. So he undertook to govern without a budget. His position at that time was one of great difficulty, for, apart from the internal struggle, the relations with Austria were strained, those with France at least not intimate, and in England public opinion saw in him a new Strafford or Polignac. Russia alone was friendly, but Prince Gortchakov's aim was an alliance with France, which was precisely the greatest danger for Prussia. Matters, however, soon changed.

In the beginning of 1863 an insurrection broke out in Poland which took the Russian government completely by surprise. Conflicting tendencies neutralised each other at St. Petersburg, and England, France, and Austria intervened in favour of Poland, asking for the re-establishment of the constitution abolished in 1832. Bismarck declined to support these representations, as Russia would never grant them; he moreover interfered in the contrary sense by sending General von Alvensleben to St. Petersburg in order to propose mutual assistance by the commanders of the respective frontiers. The Emperor Alexander eagerly accepted this offer, Prince Gortchakov amused the ministers of the three powers with negotiations, till in August the insurrection was crushed, and the chancellor politely told them that they had not to meddle with Polish affairs.

Thus the policy of Bismarck, which at first seemed to be foolhardy, was completely justified. He had at once discerned that the coalition was hollow; that England would not support her representations by acts; that Austria had joined the two other powers only in order to annoy Russia; and that Napoleon left alone could do nothing. The whole situation, so unfavourable for Bismarck, had within a year changed to his advantage; the coalition was dissolved,

with the sole result that each of the three powers attributed the fault to the other, any chance of a Franco-Russian alliance was destroyed, whilst Prussia had won the lasting gratitude of the Emperor Alexander. The relations between Austria and Russia had anew become very strained, the western powers secretly acknowledged that Bismarck had been right; and when Napoleon in order to cover his retreat proposed a general congress for settling the pending questions, Lord John Russell took it upon himself to decline that invitation in a manner which greatly irritated the emperor.

Austria in the meantime had resolved to make one stroke more in order to restore her credit in Germany. The Emperor Francis Joseph, in August 1863, convoked a meeting of the German princes at Frankfort in order to bring about a reform of the Confederation. It was the most brilliant assembly, but proved totally abortive through the refusal of Prussia to participate in its deliberations. Bismarck had at once discerned that this project aimed only at neutralising Prussia's influence in Germany, but that it would fall to the ground if she remained firm in declining to take part in the deliberations. In vain did the congress send the king of Saxony to Baden, in order to persuade King William to join it. Bismarck put the cabinet question, and King John had to return with empty hands to Frankfort. When the project of reform was presented to the Berlin cabinet, Bismarck declined to entertain it, and in a public declaration said that no reform would be feasible without a representation of the German people based on direct elections. Lord John Russell having expressed his fears that this project might lead to revolution, the Prussian premier answered, 'Our point of view does not repose on a theory, but upon material interests, identical with those of the German people. Prussia needs a counterpoise to the dynastic policy of the other German governments, and can only find it in a national representation.'

Thus the field was clear for action as soon as the occasion should present itself, and it did so earlier than anyone thought at that time, in consequence of the death of the king of Denmark. Sybel has devoted a whole volume to the Schleswig-Holstein question, but he treats it in a rather partial way. The principal facts are the following. The two duchies had in the fifteenth century elected the king of Denmark their duke, while maintaining their independence, but Holstein alone belonged to the German empire. Since 1712 no Diet of the duchies had been summoned. However, the people did not protest, as no new taxes were imposed; on the other hand the people of Denmark, where the absolute power of the sovereign had been established in 1672, were dissatisfied by seeing so many noblemen of the duchies occupying the first position in the state and the army. After the loss of Norway, through siding with Napoleon, the kingdom obtained only a small compensation by the

acquisition of the duchy of Lauenburg, and for it as well as for Holstein became a member of the German Confederation. In 1844 King Christian VIII published a patent to the effect that as his son had no children, and in Denmark the female line would be called to succeed, whilst in the duchies the Salic law prevailed, the latter were to be incorporated, and a general constitution for the kingdom was to be granted. This breach of their constitutional law roused great indignation in the duchies, supported by all Germany, and even the Diet of Frankfort protested against it; but when in 1848 Christian VIII died, and his son Frederic VII, who was completely in the hands of the Copenhagen democrats, incorporated Schleswig, an insurrection broke out in the duchies supported by Prussia. As we have seen, the king finally abandoned them, and the treaty of London of 1852 insured the integrity of Denmark, which only had to promise that it would not incorporate Schleswig. But the government of that province as well as that of Holstein, belonging to the German Confederation, was so arbitrary, that in 1862 even the Diet had resolved upon a federal execution, when suddenly Frederic VII died, and the male line became extinct. His successor, designated by the treaty of London, the present King Christian IX, under the pressure of the Copenhagen democrats, signed the incorporation of Schleswig; on the other hand the Diet confirmed the execution resolved upon. Saxon and Hanoverian troops entered Holstein, the hereditary Prince of Augustenburg, whose father had been compelled to resign his rights, being forced to sell his estates in Schleswig for a paltry sum, invoked the help of the Diet, and was supported by the whole public opinion of Germany and the minor governments. Bismarck long ago had discerned that the knot was only to be cut by war, but he did not want to make it for establishing a new grand-duke, who might vote against Prussia in the Diet. On the other hand he had to contend with great difficulties; the king was in favour of the prince of Augustenburg, whom his brother had sacrificed, England supported Denmark, Napoleon shut himself up in mystery. Bismarck did not dare to undertake the war alone, so he accepted the proffered hand of Austria, who wanted to come out of the isolation into which her policy had placed her, and signed a convention with her in December 1863 for taking the matter into the hands of the two great German powers, because Denmark had violated its promise not to incorporate Schleswig. Whilst the federal troops occupied Holstein, and in their rear the Prince of Augustenburg went to Kiel, hailed by the whole population as their legitimate sovereign, and established there a sort of court, Prussia and Austria declared war against Denmark for having violated her promise, denounced the treaty of London, on 1 Feb. passed the Eider, and after five days stormed the Danevirk, the principal fortification of Schleswig. This made a great impression in

Germany as well as in Europe. German public opinion was entirely in favour of the duke of Augustenburg, and the Prussian Chamber of Deputies had refused the funds for the war, as they had no confidence in Bismarck, but the victory of the allies somewhat changed the situation. On the other hand the European powers were unfavourable to this intervention. Russia, indeed, was soothed by the declaration of Bismarck that it was necessary to crush the revolution in the duchies, but England proposed at Paris a joint intervention in favour of Denmark. The Emperor Napoleon, however, still under the impression of Lord Russell's refusal of his proposed congress, answered, that a war on the Rhine, of which he would have to support the whole burden, against a national cause, would be disastrous to France, and a circular of his minister Drouyn de Lhuys declared that the treaty of London was evidently *une œuvre impuissante*. The allied powers entered Jutland and prepared an attack on Düppel. Lord Russell then invited a European conference to London without any definite programme. Bismarck at that time was still in favour of a personal union of the duchies with Denmark, and entirely against the candidature of Augustenburg; but when at the conference the Danes refused all concessions, and the French ambassador proposed a division of Schleswig according to the nationalities, he acceded to the proposal of the delegates of the Diet, Baron Beust, and of Austria to acknowledge the sovereignty of the duchies under the hereditary prince of Augustenburg, *comme ayant aux yeux de l'Allemagne non seulement le plus de droit sur le trône, de manière que sa reconnaissance par le Diète est assurée, mais qui aussi indubitablement a pour lui les voix de l'immense majorité de la population*. Denmark having refused to discuss that proposition, the conference was closed without any result, and the war began anew. The isle of Alsen was taken by the Prussians, who threatened even Fühnen, and the government of Copenhagen, deceived in its hopes of a European intervention, was compelled to cede the duchies of Holstein, Schleswig, and Lauenburg to the allied powers. But Bismarck, having acceded to the above-quoted proposition, was nevertheless not inclined to hand over the duchies to Augustenburg, although his own sovereign was in favour of the pretender. He invited him to Berlin, and made such demands that the duke, who was imprudently elated by the success of his cause, and counted on the middle states and Austria, declined them. The Prussian premier, therefore, found it necessary to consult the crown lawyers, particularly so, because the grand-duke of Oldenburg had also come forward as a pretender to the duchies, the emperor of Russia having ceded to him his rights. He found it convenient to support a candidate who was not dangerous against Augustenburg, but really had already conceived the idea of annexing the duchies to Prussia. He was seconded in this by the shortsighted policy of Austria, without

which he could not conclude the definitive peace, and if Count Rechberg had refused to sign the treaty with Denmark, without the question of the succession being regulated preliminarily, it is difficult to conceive how Prussia could have denied that demand. But Bismarck knew his antagonist. He went to Vienna, representing to the Emperor Francis Joseph that this question of succession was in fact a secondary one, and that all depended upon the maintenance of the Austro-Prussian alliance as the strongest bulwark against revolution; he held out hopes of a customs union, and on 27 Oct. 1864 the treaty with Denmark was signed, the whole solution of the question remaining unsettled. Scarcely had Bismarck returned to Berlin, when he summoned the federal troops to evacuate Holstein, as that province had been ceded to Austria and Prussia, and enforced his will. In the mean time the Emperor Francis Joseph had discerned that Rechberg was not the man for coping with Bismarck, and appointed Count Mensdorff his successor, who began to side with the middle states. The Prussian minister answered that he could not submit the question to the Diet, and demanded guarantees for his country's military and commercial interests. In a despatch of 20 Feb. 1865 he formulated those demands, which were very far-going and were at once refused at Vienna. The relations of the two powers gradually became very strained, and in a cabinet council of 21 July an ultimatum was sent to Vienna, whilst an alliance with Italy and a treaty of neutrality with France were resolved upon. The internal difficulties of Austria decided the emperor to accede to a compromise, by which Austria ceded Lauenburg for a compensation of 2½ millions of thalers to Prussia, and the government of the two other duchies was preliminarily, and without prejudice to the rights of both powers, divided in this way, that Austria was to administer Holstein and Prussia Schleswig. When the treaty was signed, Bismarck said mockingly to the Austrian delegate, Count Blome: 'Now I should never have thought it possible that an Austrian plenipotentiary should place his name under such a document.'

The treaty of Gastein, however, raised great indignation, not only in Germany, but also at Florence and Paris. The Prussian minister, Count Usedom, had declared to General Lamarmora in this negotiation about an alliance, that war with Russia was certain; and the Italian Government was very cross at this sudden conclusion of peace. The Emperor Napoleon, on his side, had reckoned on a war between the two powers, which would enable him to step in as an arbiter, and to realise his unfulfilled Italian programme, *libre jusqu'à l'Adriatique*. His minister, Drouyn de Lhuys, therefore sent a circular to the other powers, severely criticising the treaty of Gastein as reposing solely upon force, trampling upon

all principles of civilisation, and disposing of the populations as of cattle.

Bismarck keenly resented this despatch, but answered that the treaty was merely provisional; and Drouyn de Lhuys replied that this changed the matter, his master being inclined to come to an understanding with Prussia, as there were neighbouring countries which might effect the object of the proposed combinations without encroaching upon the interests of the two contracting parties. Bismarck, however, felt the pressing necessity to come to an understanding with the emperor himself, and after having obtained with difficulty the king's permission he went to Biarritz. Napoleon received him well, regretted the publication of the circular, and was glad when Bismarck assured him that Prussia had not given a guarantee to Austria for the possession of Venetia. He did not oppose the plan of the Prussian premier to gain Holstein for a large sum, and expressed himself ready for a closer understanding. What Sybel does not say is that the emperor walking on the shore of Biarritz with Bismarck, who exposed to him his plans for the revision of the map of Europe, said in a low voice to Mérimée, on whose arm he was leaning, '*Il est fou*'—and after his visitor had left him, he told Cousin, '*C'est un brave homme, seulement il ne connaît pas l'Allemagne; moi, je la connais, ayant été élevé à Augsbourg.*'² The terrible Prussian realist had discerned that Napoleon underrated Prussia's military strength, and that he believed her to be scarcely a match for Austria with the support of Italy. Bismarck prudently left the imperial dreamer in his error, who did all he could to force the Italians into contracting an alliance with Russia, which they were very loth to do after the experience of Gastein. The secret negotiations of Count Malleguzzi at Vienna for the cession of Venetia having failed, and the misunderstanding between the Austrian government in Holstein and that of Prussia in Schleswig going on increasing, negotiations for an alliance with Italy were opened, which led to the signature of the treaty of April 15. Shortly before (April 10), Bismarck introduced at the Diet a proposition for calling a parliament based on universal suffrage. A last attempt for a congress was made by Napoleon, but rendered abortive by the advice of Count Moritz Esterhazy, who at that time

² A proof of Napoleon's ignorance of German affairs is the following authentic anecdote. When he was occupied with the second volume of the *Life of Caesar*, King William politely sent to Paris Colonel Cohausen, a great connoisseur of Caesar's campaigns on the Moselle, in order to assist him. Talking politics with the colonel at the outbreak of the war in June, the emperor suddenly observed: '*Mais, comment les deux parties viendront-ils aux prises?*' Cohausen looking astonished at this question, Napoleon said, '*But there is the Riesengebirge between them,*' taking a third-rate mountain range with many passes as an impassable barrier. The French military attaché at Berlin, Count Clermont-Tonnerre, was not better informed, and was only afraid that the Prussians might be beaten too much.

exercised a most unfortunate influence on Austria's policy. The cabinet of Vienna had accepted the congress by telegraph, but when its answer was to be confirmed by a despatch, Esterhazy persuaded his sovereign to insert a clause, that the maintenance of the territorial *status quo* would be a condition *sine qua non* for Austria's participation, forgetting that this would deprive the congress of all importance in the eyes of Napoleon, who wanted above all the cession of Venetia. The emperor's invitation had crossed Bismarck's plans terribly, and the first acceptance of Austria did so still more. He could not answer by a refusal, because at that time it was all important for him to be on good terms with the emperor, yet if the congress met, how could he ask for the annexation of the duchies and Prussia's primacy? He would have been outvoted from the beginning. Diplomats who saw him at that time thought that he had completely lost his composure, but Austria's foolish policy saved him once more. The answer of the Vienna cabinet having been received, Drouyn de Lhuys telegraphed to the French ambassador at Berlin what Sybel seems to ignore, '*La réponse de l'Autriche rendant le Congrès sans objet, l'Empereur rend au roi de Prusse saparole.*' So nothing was left but to resort to the armed decision. Austria having convoked the estates of Holstein, Prussia, deeming this a breach of the treaty of Gastein, declared war.

We cannot enter here upon the details of the memorable campaign and its consequences, to which Sybel devotes the whole of his last and most interesting volume, and shall limit ourselves to a few remarks. The Italian alliance soon proved rather worthless, except in keeping 80,000 Austrian troops in the south. General Lamarmora, sure by his news from Paris that Italy would at all events get Venetia, was entirely opposed to a *guerre à fond*, which the Prussian plenipotentiaries advised, and, when he at last took the field, was decisively beaten at Custozza by the Archduke Albert. As to Germany the middle states had entirely neglected their armies. Confiding in the protection of Austria, their governments could not agree about a common plan of campaign, their troops were in a bad state, Saxony and Hesse-Darmstadt excepted, and were beaten everywhere by the Prussians who occupied the whole north-west and middle part of Germany. But the decisive factor was Austria; she had a large and well-trained army, but no generals to lead it. Benedeck himself felt that he was not equal to the task of supreme command, and took it only at the decisive order of his sovereign. The armament was inferior to that of his adversary, and financial distress made itself felt everywhere. It was different with Prussia. Here everything was ready, and the plan of campaign directed by the greatest strategist of our time. Moltke's policy was always the clear and unflinching pursuit of great aims, leaving full liberty to his generals in the execution of his instructions. Beside

him, as Sybel's narrative places beyond dispute, the greatest part of the glorious issue must be ascribed to the crown prince, the late Emperor Frederick. 'Calm by temperament, he was absolutely fearless; he, like his royal father, did not comprehend what other men feel as danger, which neither made him nervous nor intoxicated him into audacity. Trusting in God and himself he always faced danger with equal courage and clear courage. A difficult position only had the effect upon him to make him encounter it with redoubled and accelerated energy.'

It was mainly due to his superhuman efforts that the first army corps arrived after all in time to decide the victory of Sadowa, after which Moltke said to the king, 'Your majesty has not only won the battle, but the campaign.' Shortly after the Prussians were before the gates of Vienna. The impression of this victory was overwhelming at home as abroad, where people had laughed at the Prussian army as a mere militia, which for forty years had not taken the field. *Casca il mondo*, Cardinal Antonelli is said to have exclaimed at receiving the news. But above all it fell as a thunderbolt upon the projects of Napoleon, and excited an indignant sensation at Paris and in the army, Sadowa having entirely thrown into the shade Magenta and Solferino. Austria indeed had ceded to Napoleon Venetia at the beginning of the war, but with the hope of acquiring Silesia as a compensation. She now invoked the emperor's mediation, and Drouyn de Lhuys pressed him to accept it, offering to place 100,000 men on the Rhine and to summon the Corps Législatif for granting a loan of a milliard. But this plan was opposed by his adversary Lavalette, asking whether his master had the means of enforcing such a policy against Prussia and Italy. So Napoleon, being obliged to avow that he had not, decided to offer simply his mediation to both contending parties. Bismarck, although indignant at this intervention, at once discovered that in the present situation it could not be refused offhand, and so the king accepted it under certain conditions. The negotiations with France and Austria which followed will remain a lasting monument of Bismarck's wonderful diplomatic ability. Sybel states (vol. v. p. 42) that, at the beginning of the war, the aim was simply the annexation of the duchies and the primacy in Germany, and that no one at Berlin had thought of dethroning a German dynasty. When, after Sadowa, Moltke uttered the above-quoted words to the king, Bismarck replied, 'So the litigious question is decided; now we have to regain the old friendship of Austria;' but when the consequences of the victory became apparent, the aims widened, and he had to contend with the military party and the king, who, elated by such success, thought nothing impossible. Bismarck opposed such extravagant hopes, writing to his wife that after all Prussia was not alone in Europe. 'We shall do well if we are not extravagant in our

pretensions and do not think that we have conquered the world.' He found his strongest support in the stern common sense of the crown prince, in the adroitness of his ambassador at Paris, Count Goltz, and in the loyalty of the Italian cabinet, which, indignant at Lamarmora's conduct, and still more nettled by the subsequent defeat of Lissa, refused to accept Venetia as a French present, and declared that it clung to the Prussian alliance, and, notwithstanding Drouyn de Lhuys' menaces, marched into Venetia.

We cannot enter into the details of the negotiations, which for the first time have fully been disclosed by Sybel. Suffice it to say that Napoleon's wavering policy fell back step by step under the intelligent pressure of Count Goltz, aided by Prince Napoleon, Rouher, Lavalette, and the Italian minister, Chevalier Nigra; and that Bismarck, who guided the whole by his injunctions, came out victoriously from the campaign with the annexation of Schleswig-Holstein, Hanover, Hesse, Nassau, Frankfort, the exclusion of Austria from Germany, and the establishment of the North German Confederation. At home the opposition was beaten in the elections for the Diet, and Bismarck, prudently availing himself of this favourable situation, carried, notwithstanding the resistance of his colleagues, the resolution that a bill of indemnity should be asked for having governed without a budget during three years. The repeated attempts of the ailing emperor to obtain compensations on the Rhine he proudly rejected, telling Benedetti that, if there was to be war, it would be one *à coup de révolutions*, in which the German dynasties perhaps would prove to stand firmer than the Napoleonic throne. The emperor of Russia and Gortchakov at first were very angry at Prussia's annexations and asked for a congress, as no revision of the map of Germany could be made without the consent of the signatories of the treaty of Vienna of 1815. But here the established friendship of Russia proved its value. The king wrote soothing letters to his imperial nephew and then despatched General Manteuffel to St. Petersburg, who was particularly *persona grata* at the Russian court. At first the general found the emperor not very accessible to his representations, but then, strange to say, Napoleon came to his rescue. It was evidently in the French interest to accept the Russian proposal of a congress, but the emperor, baffled in his efforts to obtain a compensation on German soil, and still bent upon offering something to excite public opinion, proposed at Berlin a secret alliance for the annexation of Belgium. Bismarck treated this plan, as he said later on, in a 'dilatatory way,' in order to avoid a rupture, and induced Benedetti to commit it to writing. The ambassador fell into the trap, and gave a draft of treaty written by his own hand to Bismarck, who, as soon as he had the proof of Napoleon's designs, communicated it to Manteuffel in order to convince the imperial

government that nothing could be done with France ; at the same time he promised to treat with all possible regard Würtemberg and Hesse-Darmstadt, the dynasties of which were related to the Czar, and gave a hint that Prussia's friendship might be valuable to Russia in future complications for shaking off the clause of the treaty of Paris stipulating the neutralisation of the Black Sea. The effect of these overtures was decisive. When Baron Oubril, the Russian minister at Berlin, who at first had officially declared that the annexations were considered by his government as *nulles et non-avenues* until a European congress had settled the future condition of Germany, returned to his post, his language had completely changed. Russia acknowledged the accomplished facts, and when, in November, Napoleon, having somewhat recovered from his illness, proposed at St. Petersburg an alliance, he met with a cool reception. *On s'est pourvu ailleurs*, wrote Benedetti despondingly. Bismarck showed the same sagacity by making peace on very moderate terms with the southern states, and, renouncing territorial aggrandisement, induced them to sign secret military treaties which placed their armies in case of war under Prussian command.

Thus in fact, as Sybel says, the German unity was founded in 1866 without sacrificing one inch of territory, for the later events were only the consequences of what was then achieved. It was clear that the isolation of the southern states could not last. 'The line of the Main is the station where we are taking in coals and water,' said Miquel, the present finance-minister, in the North German parliament, and when Benedetti complained at the convocation of the parliament of the Zollverein, as contrary to the stipulated independence of the south, Bismarck answered, *La ligne du Mein est comme une grille dans une rivière ; la grille reste, mais cela n'empêche pas l'eau de couler.*

Napoleon indeed tried once more to get his much-desired compensation by acquiring Luxemburg, and he might have succeeded if he had acted in proper time, for Bismarck acknowledged that, after the disruption of the German Diet, Luxemburg had become master of its destinies, and that Prussia had no longer the right to occupy its fortress. On the other hand, the grand-duke, king of Holland, was quite ready to sell his right to France. But the emperor once more lost time, and when, in spring 1867, the matter became divulged, the North German parliament was assembled and under the pressure of public opinion Prussia was obliged to protest. At that moment the military party was for war, as the German army was ready and the French not. Bismarck alone successfully resisted, because the annexed countries had not yet been sufficiently welded with the monarchy, and brought about a compromise by the treaty of London of 11 May, stipulating for the neutrality of the grand duchy under a European guarantee. When at last in 1870 France

blindly forced war upon Germany, the chancellor, after unprecedented victories, showed comparative moderation in the conditions of peace. As France had always been hankering after the conquest of the left bank of the Rhine, it was an imperious necessity for Germany to keep Strassburg, the great gate of invasion of the French since Louis XIV treacherously tore it off from the empire, and to re-establish the natural frontier of the Vosges between the two countries; but Bismarck has repeatedly declared that the cession of Lorraine was forced upon him by the military party. It was indeed a proud moment when King William was proclaimed the first emperor of the German nation, by the consent of its princes and the deputies of the Reichstag, in the same *Galerie des glaces* at Versailles from which Louis XIV had issued so many declarations injurious to German interests; we say expressly the first, for this empire was not the continuation of the Holy Roman, but rather a popular kingship, created by election but hereditary, so that the old bane was broken which had dismembered Germany.

Since the treaty of Frankfort (16 May, 1871) Germany has steadily maintained peace, first by the league of the three emperors, and after the treaty of Berlin of 1878 by the Triple Alliance. Bismarck helped to lay the foundation of a colonial German empire, and yet contrived to maintain a loyal understanding with England, confirmed by his successor in the treaty of 1 July, 1890, which restored the isle of Heligoland to the empire, since it was no longer of use to England, which occupied it only in the Napoleonic wars as a smuggling depôt against the continental blockade. We have here not to deal with the details of Bismarck's internal policy, which was his weak point, and we are ready to acknowledge that he was inaccessible to any scruples in his diplomatic negotiations, as is particularly shown in his policy towards the duchies, but it remains a fact that the German unity, which he before all created, supported by the king and one of the greatest military commanders who, crowned by general enthusiastic popularity, has accomplished his ninetieth year, has proved not a menace but a guarantee to the European peace.

M. Lévy-Bruhl's book widely differs in its aim from that of Sybel. The German historian tells us the facts which led to the unification of his country; the French author, starting from the principle that ideas do precede facts, tries to trace the gradual intellectual development of the unity; his task is to show how it came that the national idea having disappeared entirely in 1700 had become paramount 150 years afterwards. He divides this epoch into three periods; during the first cosmopolitanism is dominant, but by degrees great poets and philosophers emancipate German literature from foreign influence; the second comprises the French

invasion and the wars for repelling it ; in the third the idea begins to develop itself, that Germany ought not only to be a nation but to become a powerful *state*, an idea which takes a practical shape in the Frankfort parliament of 1848, of which Bismarck has become the legatee.

Our space does not allow us to follow M. Bruhl into the details of his narrative ; we only allude to some of its most important statements. At the end of the seventeenth century, the division of Germany had been pushed to its extreme. Formally it was divided into ten circles, but each of them contained a number of independent states, that of Suabia not less than 97. The country was impoverished by continual wars. The supreme council at Wetzlar was nearly powerless, the army miserable, and the revenue of the emperor, as such, was about 1,100*l*. The people seemed ashamed of speaking their language. French was that of the polished society, and Italian music prevailed. The first reaction against this state of things appeared in the great personage of Leibnitz, who was not only a celebrated philosopher, but also a distinguished politician. He tried to divert the ambition of Louis XIV from the Rhine to Egypt ; he was the friend of Queen Dorothea of Prussia, and already in a memorandum of 1667 demonstrated that Prussia ought to oppose Russia's intrigues against Poland, as the first would be a dangerous neighbour for Germany. He corresponded with the English ministers on the succession of the electress Sophia ; he protested against the treaties of Ryswick and Nimwegen, and denounced the treacherous occupation of Strassburg by Louis XIV ; but in the main his patriotic endeavours were barren, and especially at Vienna the opposition of the Jesuits prevented his entering into the imperial service because he was a liberal protestant. He remained the servant of the elector of Hanover, and was preaching in the desert, because the princes would not listen to his exhortations for a reform, most of his countrymen did not even understand him, and he appeared especially to the ignorant clergy as a free-thinker when he pleaded a religious reunion. His philosophic successor, Thomasius, did not occupy himself with politics, but he contributed to reform the barbaric state of justice, attacked the intolerance of the clergy, raised the standard of German universities, introduced the study of German law, and was the first to found a review written in German, which soon had many successors, influenced by their English contemporaries, such as Addison's *Spectator* and the *Guardian*. Wolf, a mediocre philosopher, deprived by Frederic William I, but recalled by Frederic II to his chair at Halle, had nevertheless a great influence on the younger generation by his methodical training ; the foundation of the university of Göttingen by George II created a new centre of learning by the liberty accorded to its professors. The his-

torian Schloezer, for example, became a power by his writings, so that Maria Theresa, in deliberating measures with her ministers, frequently asked, 'But what will Schloezer say of it?'

With Frederic II a new era begins. He was, as we have observed, exclusively a Prussian sovereign; he preferred the French language to his own, was the friend of Voltaire, Bayle, and Argens, and had little regard for German literature. But having scientific interests himself, and writing about several subjects, he encouraged the literary movement, and founded the Berlin Academy.

In politics he professed the *despotisme éclairé*, and, although he had the highest ideas of the duties of a sovereign as the first servant of the state, was not overscrupulous in his dealings. Treaties he regarded simply as the result of wars and negotiations. They were to last only as long as the interests of the respective countries required. So, the army, the finances, and a cleverly directed diplomacy, were the pillars of his government. But his wonderful victories, his administrative reforms, and his powerful personage, making of little Prussia a European state, with which every other government had to reckon, exercised a great influence on the national feeling, as we see it reflected in Lessing's celebrated drama, 'Minna von Barnhelm.' Thus, with all his French leanings, he became without his will the instigator of a new literary movement in Germany. Gellert, Gottsched, Bodmer, and Gleim were its originators. Then rose Lessing—the strong adversary of the French school—equally eminent as a critic and a poet. Klopstock wrote his 'Messiah,' and in his Odes already gives vent to German patriotic sentiments, until at last Goethe and Schiller became the accredited great poets of Germany. Goethe, indeed, was not a German patriot; his attitude towards Napoleon was even humiliating, and he felt no sympathy with the rising of the German people in 1813 in order to shake off the foreign yoke, but his poetry, 'Goetz von Berlichingen,' 'Hermann und Dorothea,' 'Faust,' etc., did much to raise the national feeling; whilst Schiller, in his later dramas, had completely abandoned his former cosmopolitan tendencies, and his last great work, 'Wilhelm Tell,' directly pleaded for patriotism as the great ruling passion.³

The eminent philosophers of that time—Kant, Fichte, Schelling—had equally an indirect influence on the emancipation of German thought. The romantic school went back to the traditions of medieval German poetry and art, but it was the French invasion after the battle of Jena which became decisive for the future development, as it shattered to pieces the ideal Germany which her writers had constructed for themselves. We cannot here enter into the details of the reforms by which Stein, Scharnhorst, Hardenberg,

* *An's Vaterland, an's Theure, schliess dich an;
Hier liegen deine Wurzeln starker Kraft.*

etc., raised their country from the utmost misery under unprecedented difficulties. We will only observe that M. Bruhl has well delineated the characters of the principal actors, and that, according to the leading idea of his book, he devotes especial care to the national literary movement. Stein had not the least philosophic sympathies, he even hated metaphysics, but nevertheless he was influenced by the ideas of his time, which had entered the general current of national thought. Fichte, at the newly founded university of Berlin, made his famous speeches to the German nation under the clash of French bayonets; the songs of Arndt, Körner, and Rückert inflamed the hatred against the foreign yoke; Gentz, the master-pen, was by his pamphlets, memoirs, and manifestoes, a power in himself.

M. Bruhl equally follows up the intellectual movement during the time of the reaction, when, after the defeat of the attempts of ardent patriots—men called demagogues—the young generation was absorbed again by the poetry of the romantic school and by the philosophy of Hegel, who, formerly an enthusiastic admirer of Napoleon, became a pillar of absolutism, when he was called to the University of Berlin, and defended all the arbitrary measures by which German governments endeavoured to suppress political liberty. But from his dialectical method issued another school, which at first, under the leadership of Strauss, attacked Christianity; then, throwing themselves upon politics, formed the group of radicals, called ‘Young Germany,’ who attacked the existing system and openly admired French constitutionalism. Other more moderate men—such as Dahlmann, the great admirer of the English constitution; Gervinus, Droysen, by their historical lectures and writings—tried to stir up the rising generation for political action. The brutal dismissal by the king of Hanover of the seven professors of Goettingen, who protested against his overthrow of the constitution in 1837, called forth general indignation in Germany, and the doctrines of more advanced liberals in southern countries—such as Rotteck, Welcker, Uhland—found eager sympathisers; so when at last the governments in 1848 were obliged to give way, these men became the leaders of the Frankfort parliament.

At this point the narrative of M. Bruhl stops, because he considers the unity accomplished twenty years after only as the realisation of the programme of Frankfort, although he might usefully have shown that, even during the reaction which followed the failure of 1848, the literary endeavours of men like Droysen, Duncker, Matky, Freytag, and others, did much to pave the way for Bismarck's action.

M. André Lebon's ‘*Études sur l'Allemagne politique*’ again differ from the book of his French colleague, as well as from Sybel's

work. He also gives an historical sketch of the unitarian movement, but it is so meagre that we need not discuss it. His principal aim is to state what is the present constitution of the empire. It is certainly unique of its kind, and, as a French diplomatist observed, *une constitution faite pour un seul homme*. Bismarck, as we now know, might have obtained much more in the negotiations of Versailles with the southern states, but then he would not have remained the omnipotent chancellor. The present constitution is federal as it formerly was, but it contains new and important bonds of unity, a popular legislature, the Reichstag, the hereditary imperial power vested in the sovereign of Prussia, and the constitutional enumeration of the questions to be decided by the central power. The Reichstag is composed of 397 deputies of the whole nation elected by universal and secret suffrage, but they do not receive any pecuniary allowance, as is the case in France and the United States. It can be dissolved by the Federal Council at the demand of the emperor, its legal duration now being five years, and it decides itself on the validity of the election of its members. The questions which belong to the imperial legislative competence are carefully enumerated in the constitution; the Reichstag can take the initiative for introducing bills, but they do not become law without the consent of the Federal Council; its greatest power is the absolute right of voting the budget. The imperial revenue is derived from the customs, the excise, the stamp duties, the post and telegraph (though Bavaria and Würtemberg have kept theirs), and the deficit is filled up by the matricular contributions of the federal states levied according to their population.

Prince Bismarck preferred universal suffrage to any census, such as it exists in Prussia, because he thought that the masses are most easily led by the great proprietors and the government, and he openly declared that he would take his majority where he could find it. He therefore neglected no means to obtain a majority, working upon the imagination of the electors, but he also made disagreeable experiences with universal suffrage. Having inconsiderately begun the ecclesiastical conflict, he had to see that the power of the priests over the catholic electors was paramount, and notwithstanding all his exertions the proposed bills for the monopoly of tobacco and spirits were thrown out. In the main, however, he succeeded in playing off one party against the other and in carrying his will, although certainly often not for the common weal. The Federal Council, being more an executive and administrative than a real legislative body, its members voting according to the instruction of their government, is one of the strongest creations of federal law. In the American senate every state is represented by two delegates, but this was impossible in an empire where Prussia alone comprises two-thirds of the population (in 1880, twenty-seven

millions upon a total of forty-five); so she has seventeen voices, Bavaria seven, Saxony and Würtemberg seven, Baden and Hesse three, etc. It is therefore easy for the chancellor to gain a majority in obtaining the voices of the smaller states or of the other kingdoms, by making to them some concessions, and rarely a bill presented by him has been thrown out by the council. Every one of its members has the right to speak in the Reichstag, but hitherto they have scarcely dared to oppose the opinion of the chancellor. In the only case where the Bavarian delegate, Rudhardt, ventured to maintain an independent opinion, he was attacked by Bismarck in his own palace before a large assembly and had to retire in dismay. The council prepares the bills to be submitted to the Reichstag and examines those passed by the latter, thus deciding whether they are to be approved. It renders the administrative decrees necessary for their execution, nominates the consuls, the members of the supreme court, and has in some respects itself judicial functions; in order to accelerate its work it is divided into several committees, according to the subjects which belong to its competence. The constitution cannot be altered if fourteen voices of the council pronounce against the change.

The emperor is not the sovereign of Germany; her sovereignty resides in the totality of the princes and free cities as represented in the Federal Council. If the latter approves of a bill, with the consent of the Reichstag, the emperor must publish it as law formally. He is therefore simply the hereditary president of the empire, but he has certain special rights established by the constitution. He opens and closes the session of the Reichstag, he appoints the diplomatic representatives, has the command of the federal army, and in case of need can proclaim martial law; but his principal power lies in the number of voices of which he disposes in the Federal Council as king of Prussia. The chancellor is the only responsible functionary of the empire (Bismarck would never have ministerial colleagues), he countersigns all laws and decrees, but the Reichstag has no means to enforce this responsibility. At the same time he is Prussian president of the council, and as its plenipotentiary disposes of the seventeen votes which Prussia has in the Federal Council. In this capacity, assisted by his great success and an indomitable will, Bismarck exercised the most extraordinary power ever wielded by a minister, the more so as he knew that William I would finally always yield to the will of a man whom he considered as indispensable for the prestige of Germany. We do not enter upon the chapter which M. Lebon devotes to the Prussian institutions, as it is rather superficial, and only mention that, as a true Frenchman, he concludes by denouncing the annexation of Alsace-Lorraine as the greatest fault committed by Germany; nay, he considers it as Bismarck's capital fault, of whom he tells that in his younger days

he said, 'You will see that I shall become a great man, and that I shall finish by a great fault.' But M. Lebon will himself admit that the annexation of Alsace-Lorraine certainly was not the cause of Bismarck's fall. It is not to be denied that, in the administration of that province, great faults have been committed; but the French author's views are too much tainted with partiality to be seriously discussed, and we refer to what we have said above regarding the annexation.

The fall of Bismarck was an event of the greatest importance for Germany. The choice of his successor was one of great difficulty, because Bismarck had suppressed all rising men or made them tools of his absolute will, and so there was no independent civilian who had sufficient authority for this post. The emperor therefore showed great sagacity by appointing chancellor a general, who was not only a distinguished commander but, as secretary of the navy, had shown eminent administrative capacity, and his choice has been justified by events. General von Caprivi has contrived by a firm and conciliatory attitude to get on very well with the new Reichstag, which after the elections was pronounced by Bismarck's followers to be unmanageable. Important reforms are in preparation; the exceptional law, which outlawed German socialists, has been suffered to fall into abeyance, and the corruption of the press, by which Bismarck successfully tried to produce a spurious public opinion, has ceased. The aspect of the international relations of Germany is equally satisfactory. It had been formerly prophesied that Bismarck's death (for no one thought of a resignation) would break up the Triple Alliance and jeopardise Germany's position in Europe. These predictions have been falsified by events; the Triple Alliance stands as firm as ever, the relations of Germany with all powers, and particularly with England, are on the most friendly footing, and even those with France are as good as possible, the emperor at the conference in the spring of 1890 being especially polite to M. Jules Simon. It is evident that William II does not wish for war, but on the contrary to maintain peace, and is above all occupied with internal reforms. So the outlook for Germany's future seems to be promising, and we can only hope that it will remain so.

F. H. GEFFCKEN.

The Origin of the University of Oxford

WHEN Brutus the Trojan conquered the isle of Albion, which took from him thenceforth the name of Britain, he was accompanied by certain Greek philosophers, who found a home on the upper waters of the Thames, where the village of Graeco-lade, or Cricklade, still recalls the nationality of these learned immigrants. Here they opened schools, which were subsequently transferred to the Beaumont suburb of Oxford, and academical degrees were conferred in the parish church of St. Giles. At a still later date the masters and scholars were finally established within the walls of the city, which having been founded by King Memphric, the great-grandson of Brutus, in the days when Saul was king in Israel, was at first called 'Caer-memre,' but afterwards successively 'Bellisitum,' 'Caer-bosa,' 'Ridohen,' and 'Oxenfordia.' Many centuries afterwards, the university, having fallen somewhat into decay, was restored by King Alfred, who called thither as teachers St. Neot, St. Grimbald, John of St. Davids, and Asser the priest. He also founded three Halls, known as the 'great,' the 'less,' and the 'little' halls of the university, and ordered his nobles to send their sons to Oxford for education.

Such is the myth, or rather aggregation of myths, which satisfied the curiosity of many generations of inquirers into university history. It doubtless grew up without much conscious exercise of the inventive faculty, but rather as the natural product of misunderstood tradition, bad etymology, and a total ignorance of historical perspective. In its fully developed form it is to be found in the 'History of the Kings of England,' written about 1486 by John Rouse, chantry priest of Warwick, who had, however, combined and harmonised in one smooth tale several inconsistent stories of much older date. Thus the transfer of the schools from Cricklade is asserted in a semi-official 'historiola,' prefixed to a copy of the earliest extant statutes, written not later than 1375;¹ while the foundation of the university by Alfred is maintained in the chronicle of Ralph Higden composed about 1360,² and in the Hyde Abbey chronicle of

¹ The *historiola* is printed in Anstey's *Munimenta Academica*, Rolls series, ii. 367.

² Rolls series, vi. 354

a somewhat later date.³ Practical use had also been made of this story in petitions presented to the king's council in 1379 and 1384, in the matter of a suit between University College and the abbot of Oseney. The work of John Rouse marks the close of the first period of inquiries into the history of Oxford, summing up, as it does, the mythology which had resulted from the efforts of simple minds to account for the existence of the university.

The mythopoeic was succeeded in the sixteenth century by a controversial period, prolonged nearly to the present time, in which the established myths were attacked and defended in the interests not of truth but of the respective claims of Oxford and Cambridge to a superior antiquity. The dispute was occasioned by some boastful expressions in an oration addressed to Queen Elizabeth on the occasion of her visit to Cambridge in 1564, and was commenced by champions both, by a hardly credible coincidence, rejoicing in the name of Caius, or Key. The first blow was delivered by Thomas Caius, master of University College, in a tractate presented to the queen in 1566, and entitled 'Assertio Antiquitatis Oxoniensis Academiae, etc.,' followed by a second work, 'Vindiciae Antiquitatis Academiae Oxoniensis,' which did not see the light for more than a century and a half after the death of the author in 1572. On behalf of the rival university, John Key, master of Gonville and Caius College, printed in 1568, under the pseudonym 'Londiniensis,' his 'De Antiquitate Cantabrigiensis Academiae libri duo,' and, dying in 1573, left behind him in MS. the 'Historia Cantabrigiensis Academiae.'⁴ One result of the controversy, so far, was to expose the lack of evidence for King Alfred's connexion with Oxford, and this deficiency was supplied by an unquestionably forged interpolation in the edition of Asser's Life of Alfred, published in 1603 by William Camden.⁵ The mantle of the Oxford Caius descended upon Bryan Twyne, whose 'Antiquitatis Academiae Oxoniensis Apologia' appeared in 1608, and whose statements were repeated with trifling variations by Anthony à Wood in 1674, by Hearne in the eighteenth, and by Dr. Ingram in the nineteenth century.

The third, or critical, period of Oxford history is only just opening. The interpolation in Asser's Life of Alfred was indeed long ago denounced as a forgery, and Meiners in 1805 speaks with due contempt of the views which writers such as Wood had supported by an indiscriminate use of good and bad authorities;⁶ but Huber in his 'History of the English Universities,' published in 1839, treats a disbelief in the existence of Oxford schools before the conquest as an excess of scepticism, and Dr. Schaarschmidt, in his Life of John

³ Rolls series, p. 41.

⁴ Printed in the following year. On the two Keys and their works, see Mr. Parker's *Early History of Oxford*, Oxford Historical Society, pp. 20-39.

⁵ *Ib.* pp. 39-52.

⁶ *Geschichte der hohen Schulen*, ii. 87.

of Salisbury, 1862, seems to be of the same opinion. It was not till 1885 that the mythological history of the University was disposed of once for all by Mr. James Parker, in his 'Early History of Oxford 727-1100.' The ground which had thus been cleared by destructive criticism was occupied in 1886 by Mr. Maxwell Lyte's admirable 'History of the University of Oxford from the earliest times to the year 1530.' This work is written quite in the modern spirit, and from the year 1200 onwards leaves little to be desired. If Mr. Lyte is less satisfactory for the earlier period, it is because the authorities for that period have hitherto been insufficiently sifted. The Oxford archives, so far as they were explored by Mr. Anstey for the purposes of the 'Munimenta Academica,' edited by him in 1868 for the Master of the Rolls, appear to contain no documents of importance earlier in date than the year 1350. It is therefore necessary to look elsewhere for evidence as to the origin of the university, which is known to have been in existence more than two centuries previously. The sources of information as to such teaching as can be traced at Oxford in the twelfth century have lately undergone a careful re-examination,⁷ and it is now possible to supersede the mythological account of the beginnings of the university by a history discontinuous indeed and scanty, but reliable as far as it goes.

The city of Oxford is first authentically mentioned in 912,⁸ but has no ascertained connexion with schools and scholars before 1100. Its outward characteristics at the latter date are well known to us. The then perfect circuit of its walls enclosed a leaf-shaped space, lying between the Thames and the Cherwell and marked at its western extremity by the recently built castle keep, as well as by the great mound which had been thrown up as a protection against the Danish forays of a ruder age. The city already possessed twelve or thirteen churches, of which the more notable were St. Martin's at Carfax, St. Mary's, St. Peter's-in-the-east, and St. Michael's, whose still extant tower served not only as a belfry but also to strengthen the fortifications at the north or Bocardo gate. Just outside this gate stood the church of St. Mary Magdalene. Of the two religious houses, the elder, St. Frideswide's, claimed to have been founded as a nunnery in the eighth century, but had since become a priory of secular canons. Another house of secular canons, known as St. George's College, had been founded within the castle precincts by Robert D'Oili, the builder of the castle, as also probably of the crypt of St. Peter's and the tower of St. Michael's. Neither St. Frideswide's nor St. George's was in a

⁷ In my contribution to the Oxford Historical Society's 'Collectanea' volume for 1890; in which the reliable evidences for what follows here are set out textually, with some critical apparatus.

⁸ In the *Anglo-Saxon Chronicle*, *sub anno*. See Parker, *u.s.*, pp. 116, 324.

flourishing condition. Of the former we are told by William of Malmesbury that 'but few clerks were left there, and they lived very much as they liked.'⁹ The latter was but a small society, destined shortly to be absorbed in the great abbey of canons regular which was founded at Oseney, just outside the city walls, in 1129. The neighbourhood of Oxford could boast of two important abbeys: that of Abingdon, six miles down the course of the Thames, dating from the seventh century; and that of Eynsham, at a similar distance on the upper stream, which had been dedicated in 1005. The bishop's see had been removed from neighbouring Dorchester to distant Lincoln in 1092.

There seems no reason for associating the rise of the university with any of these religious houses, or with the cathedral at Dorchester. But the scholar king, Henry, was fond of Oxfordshire. In 1114 he built himself a hunting box at Woodstock, where also he collected a menagerie of wild beasts; and in 1130 he completed what became his favourite palace of Beaumont, just outside the city walls. Whether, as we are told by writers of a much later date, the king came to Oxford to enjoy the society of scholars, or scholars came thither to enjoy the patronage of the king, it is certain that the first reliable traces of teaching there occur in the early years of Henry Beauclerc.

The teaching, as might be expected, was derived from Normandy, where the older fame of Bec was now rivalled by the chapter of Bayeux and by St. Stephen's abbey at Caen. Schools of importance were taught at Caen by Arnould 'Malcouronne,' who died in 1118 as patriarch of Jerusalem;¹⁰ and by Thibaut d'Estampes, who seems to have been enrolled among the honorary chaplains of Queen Margaret of Scotland, though she could not succeed in inducing him to pay her a visit, or accept preferment, in her northern kingdom.¹¹ Thibaut was, however, ultimately persuaded, whether by the king, by Robert Bloet, bishop of Lincoln, or otherwise, to settle in Oxford, where between the years 1117-21 we find him describing himself as 'Magister Oxinfordiae,' and presiding over from sixty to a hundred scholars.¹² He was evidently a man of mark, consulted by Bishop Bloet, and by Thurstan archbishop of York, chiding the errors of Roscellinus, and giving his opinion with no little self-confidence upon such questions as the salvability of unbaptised infants, the validity

⁹ *De Gestis Pontificum*, lib. iv. Rolls series, p. 315.

¹⁰ See l'Abbé de la Rue, *Essais historiques sur la ville de Caen*, ii. 70, 121.

¹¹ *Epistolae Theobaldi Stampensis*, in D'Achery, *Spicilegium*, iii. 447, and in Migne, *Patr. Curs.* clxxiii. col. 759.

¹² *Improperium in Monachos*, MS. Bodl. 561, fol. 61. Attention was recalled by the Rev. H. Rashdall (in a letter to the *Academy* for May 25, 1889) to this remarkable manuscript, which, though duly cited by Bryan Twyne, *Apol.* ii. §§ 275-7, and A. Wood, *Annals*, Gutch, i. 140, 142, had been unaccountably overlooked by recent writers on university history.

of orders conferred upon the sons of priests, and the relations between the regular and secular clergy. He attacked the monasteries with much bitterness, describing them as 'prisons of the damned, who have condemned themselves in order to escape eternal damnation,' and arguing against the intrusion of monks into the cure of souls, so as to provoke a savage reply,¹³ in which he is held up to ridicule as a 'petty clerk' (*tantillus clericellus*), 'one of those wandering chaplains, with pointed beards, curled hair, and effeminate dress, who are ashamed of the proper ecclesiastical habit and the tonsure.' He is also accused of being 'occupied with secular literature,' whence we may infer that the studies directed by Thibaut dealt with what are usually described as the liberal arts.

But the next recorded Oxford teacher was a theologian. In the year 1133, as we learn on the unimpeachable authority of the Oseney chronicler,¹⁴ master Robert Pullein began to lecture at Oxford on the Holy Scriptures, which had been much neglected in England. Pullein, 'having food and raiment and wishing for no more,' refused a bishopric offered to him by Henry I, but subsequently became a cardinal and chancellor of the Roman curia.¹⁵ St. Bernard had a high opinion of his merits,¹⁶ and his eight books of 'Sentences' are still extant.¹⁷

It must have been about the same time that one Robert of Cricklade was, to use his own language, 'devoting himself as a scholar to the government of the schools.'¹⁸ He does not, it is true, specify the locality of these schools, but they can hardly be placed elsewhere than at Oxford, in which city, or in its neighbourhood, the whole life of this great scholar appears to have been passed. He must have been born early in the century, probably at Cricklade, where he owned land. The period of his activity as a teacher can hardly be placed later than 1135. It is to this period that he refers, somewhat apologetically, in later years, as a time when he was beguiled with hurtful and empty speculations, when he was not yet bound by a rule of life, when he composed a work too full of levities to please an austere taste.¹⁹ The work in question was probably the abridgment of Pliny's Natural History, which he afterwards dedicated to 'students, and especially those in religious houses, and scholastics.'²⁰ It must have been some time before 1141 that Robert assumed the habit of a canon

¹³ *Rescriptum pro Monachis*, ib. fol. 62.

¹⁴ *Annales Monastici*, Rolls series, iv. 19. Cf. MS. Bodl. 712, fol. 275 a.

¹⁵ *John of Hexham*, Rolls series, ii. 319.

¹⁶ *Epist.* 205, 362, Migne, *Patr. Curs.* clxxxli. col. 563, 571.

¹⁷ Printed by Hugh Mathoud, Parisiis, 1655, and in Migne, *Patr. Curs.* clxxxvi. col. 640-1010.

¹⁸ *Pref. in librum de Connubio Iacob*. MS. Ball. Coll. clxvii. fol. 177. Cf. MS. Laud
xccc. xxv.

¹⁹ *Ib.*

²⁰ MS. Reg. xv. C. fol. 13. (Brit. Mus.)

regular at St. Mary's, Cirencester,²¹ since he was in that year elected prior of St. Frideswide's, in succession to Guimond, who had restored the house to the use of regular canons. He presided over St. Frideswide's till his death in 1180; travelling on one occasion as far as Sicily on the business of the priory, and contracting an illness from over-exertion in walking from Catania to Syracuse, from which he obtained relief many years afterwards only by a visit to the tomb of St. Thomas at Canterbury.²² His biblical learning is still attested by a treatise on the marriage of Jacob,²³ and a commentary on the later chapters of Ezekiel.²⁴ His reputation as a Hebraist was such as enabled him to borrow manuscripts of Josephus from the Jewish congregations in all parts of England, and, by a comparison of them, to convince the Oxford Jews that the text of this author had been tampered with, in order to get rid of his mention of the founder of Christianity. Giraldus Cambrensis, who tells this story, says that as quite a young man he had seen Prior Robert in extreme old age.²⁵

During the earlier years of Prior Robert's tenure of office, there arrived in Oxford a Lombard jurist, Vacarius, bringing with him a new study, that of the civil law, destined to take root and flourish exceedingly, so as even to overshadow for a time her elder sisters, theology and the liberal arts. Vacarius was doubtless of the school of Bologna, though hardly of the generation which listened to the teaching of Irnerius. He was brought to England, together with a supply of books upon the civil law, to act as legal adviser ('causidicus') to Archbishop Theobald in his struggle, which ended successfully in 1146, to wrest the legateship from the bishop of Winchester.²⁶ This 'Master Vacarius,' says Gervase, the nearly contemporary monk of Canterbury, 'taught the civil law ("legem," as opposed to "canones") at Oxford.'²⁷ We learn from another contemporary chronicler, Robert, abbot of Mont St. Michel, that the teaching began in the year 1149, attracting crowds of rich and poor, and that, for the sake especially of the latter, Vacarius wrote a compendium of the code and digest in nine books, 'sufficient, if one knows it thoroughly, for deciding all the legal problems which are wont to be discussed in the schools.'²⁸ This work, long supposed to have been lost, has been rediscovered in the present century. The manuscripts of it, the best of which are preserved at Bruges, at Prag, and in the cathedral library at Worcester, are

²¹ *Lieber Book of the Abbey of Cirencester*, fol. 182, cited in A. Wood's MS., 18 D. p. 174.

²² A letter from Robert to Benedict of Peterborough, in *Materials for Life of Becket*, Rolls series, ii. p. 97.

²³ MS. Coll. Ball. clxvii. fol. 177.

²⁴ MS. Cotton, Julius, B. xiii.

²⁵ Joh. Saresberiensis, *Policraticus*, viii. c. 22; Gervasius Cantuariensis, *Actus Pontificum*, Rolls series, ii. 384.

²⁶ Pertz, *Monumenta, Scriptores*, vi. p. 476.

²⁷ MS. Coll. Pemb. Cantab.

²⁸ *Ubi supra*.

elaborately annotated with early glosses on the opinions of 'the master.' The new study had hardly made good its ground when it received a severe though temporary check. King Stephen made the possession of books upon the civil law illegal, and seems to have caused such copies of them as could be discovered to be burnt. John of Salisbury, who records the edict with much indignation, comparing the conduct of Stephen with that of Antiochus, adds that his friend Vacarius was put to silence. He goes on to say that by God's providence this impious effort to suppress the civil law only added to its influence.²⁹ There can be little doubt that the teaching of it at Oxford was soon resumed, perhaps on Stephen's death in 1154; but the founder of the school seems to have been called away to other duties, holding a canonry somewhere in the diocese of York, and acting as papal commissioner on various occasions, together with the abbot of Fountains, the prior of Thurgarton, the prior of Bridlington, 'Master Angerus,' and others, for the performance of semi-judicial functions.³⁰ His compendium, familiarly known as the '*Liber pauperum*,' became a leading text-book at Oxford, where the students of law from their use of it acquired the nickname '*pauperistæ*.'³¹

The history of Oxford studies during the earlier half of the twelfth century is thus marked by the names of four men: Thibaut d'Étampes, Robert Pullein, Robert of Cricklade, and Vacarius; but what we know of this period is limited to what we know of these great scholars. The latter half of the century, on the contrary, while it presents us with hardly any great names, becomes increasingly crowded, as the years roll on, with incidental evidences that Oxford was the scene of continuous and organised teaching and learning on a large scale.

Prior Robert, in a letter to the abbot of Peterborough, mentions his having been obliged by illness, at a date certainly earlier than 1171, to sit while preaching on saints' days to the people of Oxford, in the presence also of 'scholars (*clerici*) from all parts of England.'³² We learn from his successor, Prior Philip, how after the trans-

²⁹ *Policraticus*, vii. c. 20, viii. c. 22. Cf. Roger Bacon, *Compendium Studii*, *Op. inéd.*, Rolls series, i. 418-425.

³⁰ Cf. *Ant. Coll. Decretorum*, Parisiis, 1609, i. lib. i., tit. 7, c. 2; Wenck, *Magister Vacarius*, pp. 41-49; *Materials for Life of Becket*, Rolls series, vii. 498-501; Migne, *Patr. Curs. t. exc.* col. 407; *Chron. Rogeri de Hoveden*, Rolls series, iv. 75; *Lay Folks Mass Book*, Early English Text Society, No. 71, p. xlvii; *Chartularium Rievallense*, Surtees Society, p. 83. One 'Hubert Vacca' occurs as prebendary of Kentish Town in 1150, Hardy's *Le Neve's Fasti*, ii. 403; and a 'Magister Vacem' twice occurs, about 1190, as prebendary of Southwell, in the manuscript *Liber Albus* of that house, pp. 20, 372.

³¹ Ant. Wood, *Historia*, i. 56, founding on Gir. Cambr., *Speculum Ecclesiae*, Dist. i. Proemium.

³² See his letter to Benedict of Peterborough, *Materials for Life of Becket*, Rolls series, ii. 97.

lation of the remains of St. Frideswide to the new shrine in 1180, 'a certain scholar (*clericus*) named Stephen, a Yorkshireman by birth, who was dwelling at Oxford for the sake of study, in the flower of his youth, and distinguished by the elegance of his appearance,' having come to death's door from the effects of a wasting fever, called upon the saintly virgin, and after drinking a cup of consecrated water, became perfectly whole.³³ About the same time, Walter Map, subsequently known to fame as the archdeacon of Oxford who sung the praises of the Tavern, is described as 'an Oxford master.'³⁴ In the year 1187 the curtain rises for a moment on a society to which it would be difficult to deny the character of a university. Giraldus Cambrensis, the energetic Welshman who vainly spent so many years of his life in endeavouring to obtain confirmation of his election as bishop of St. David's, had written a work on the topography of Ireland, and 'being minded,' as he tells us, 'to set his light not under a bushel, but in a candlestick,' arranged to give a reading of it at Oxford, 'where in all England scholars most abounded and excelled in scholarship.' The reading was spread over three days, on the first of which Giraldus feasted all the poor of the city, on the second all the doctors of the various faculties and their most promising pupils, on the third the rest of the scholars, together with many men-at-arms and citizens.³⁵ A few years later Senatus, prior of Worcester, writing to Clement, prior of Oseney, compares Oxford to the city of Abela, mentioned in the second book of Samuel (xx, 18), to which men were recommended to send their difficulties, 'because it abounded in schools, and was a mistress of knowledge.' Senatus is surprised that Clement passes by the galaxy of wise lawyers at his doors, to consult a humble prior at a distance upon legal questions, upon which he can throw no light unless by divine inspiration.³⁶ The academical character of Oxford about this time is confirmed by the occurrence in sundry deeds of conveyance of persons described as 'illuminators,' 'binders,' 'writers,' and 'preparers of parchment.'³⁷ Richard of Devizes, writing in 1193, relates how a French Jew, giving parting advice to a young Christian apprentice about to run away to England, warns him against visiting a number of towns which he describes in no flattering terms. 'Oxford,' he says, 'so far from feasting her scholars (*clericos*), hardly keeps them alive.'³⁸ Towards the end of the century we meet with traces of assistance given to scholars to enable them to study at Oxford. King Richard grants to one Nicholas from Hungary 8*l.* 17*s.* 8*d.* 'to support him in the

³³ *Acta Sanctorum*, Octobris, viii. 579.

³⁴ Giraldus Cambrensis, *De Invectionibus*, lib. iv. c. 10, *Opera*, Rolls series, iii. 92.

³⁵ *Id. De Rebus a se gestis*, *Opera*, Rolls series, i. 73.

³⁶ MS. Bodl. 633, fol. 209.

³⁷ MS. in Arch. Univ., Pyx F. 46.

³⁸ *De Rebus temporis Ric. I. in Chron. of Stephen*, &c. Rolls series, iii. 437.

schools from Michaelmas to Easter,' 1195-6; and further help in the following year in the shape of 5s. 9d. for livery, and an allowance at the rate of half a mark weekly. In 1198 one Robert de Vermeilles receives, 'to keep him in the schools,' ten marks from Hubert, archbishop of Canterbury.³⁹ In 1197 the Pope issued a commission to Archbishop Hubert, the bishop of Lincoln, and Samson, abbot of St. Edmund's, to reform the church of Coventry and restore it to the monks. The commissioners sat at Oxford, when we learn that Abbot Samson entertained at his table fourteen monks from Coventry, and at the same time 'the masters of the schools, who had been summoned to be in attendance.'⁴⁰

Something may be gathered as to the organisation of Oxford studies towards the end of the twelfth century from the life of Edmund Rich, afterwards archbishop of Canterbury. A native of Abingdon, he was naturally sent to Oxford, where, after being grounded in grammar, logic, and rhetoric (the *Trivium*), he devoted himself to some at least of the mathematical sciences which made up the *Quadrivium*, and is the first person who is authentically known to have taken the degree of 'Master of Arts,' or, as the same fact is otherwise stated, to have been 'elevated, after a sufficient course of study in arts, to the rank of a teacher, by the licence of the teachers (*doctores*).' As an undergraduate, the future saint was at one time not unlike his successors in modern times. At St. Mary's he listened more to the singing than to the prayers, till one day, as he and many others were hastening off to their games, immediately after the elevation of the host, he was stopped 'at the north door of the church' by a heavenly voice which taught him to behave better for the future. His increased devotion was rewarded. 'After attending mass, he went to hear a lecture in the schools which stood in St. Mary's churchyard, opposite the west door of the church, and took his seat with a great crowd of his friends.' He was however moved by a sudden impulse to leave the building; so escaping what all declared must have been certain death from a stone which fell out of the wall upon the very place which he had occupied a moment before. It was probably at St. Mary's that, while still an undergraduate, he wedded the Blessed Virgin by secretly placing upon a finger of her statue a ring which remained there long afterwards. The same devotion to the Virgin characterised him as a 'regent master.' While still a layman he dedicated a chapel to her honour, and persuaded his class to accompany him to hear mass there before lecture. So little did he care for the fees received from his pupils, that he would throw them on his window-ledge and go through a sort of burial service over them, scattering dust upon them and saying: 'Earth to earth, ashes to ashes, dust

³⁹ Pipe Rolls, *sub annis*.

⁴⁰ *Chron. Jocelini de Brakelonda*, Camden Society, p. 69.

to dust.' When one of his pupils was grievously sick, he brought him to his own lodging, and tended him during the night for no less than five weeks, continuing in the daytime his lectures and disputations in spite of fatigue. The Oxford career of Edmund Rich was brought to a close by an event which sent him to perfect himself in theology at Paris. As he was explaining the figures of geometry, his mother appeared to him in a vision, and taking his hand drew in it three circles, writing in each the name of one of the persons of the Trinity, and saying: 'Dearest son, henceforth devote your mind to these figures and to no others.'⁴¹

There is some reason to think that during the last quarter of the twelfth century, at Oxford as elsewhere, the study of theology and of arts was encroached upon by that of the civil law. In the year 1190, two young Frisians, Emo and his brother Addo, who had already studied at Paris and Orleans, were attracted to the *studium commune literarum* at Oxford. They arrived full of eagerness to improve themselves in the liberal arts, but were soon convinced that a knowledge of law would better promote their future usefulness. They accordingly attended lectures, and took notes upon both canon and civil law, making copies with their own hands of many text-books, especially of the 'Decretum,' and of the 'Liber Pauperum' of Vacarius. This work was carried on during the night, the first half of which was assigned to Addo, who was relieved during the latter half by Emo; a system which perhaps had the advantage of making one bed suffice for the two brothers. So inveterate was the habit thus formed at Oxford by Emo, that in after life, when abbot of Bloomkap on the banks of the Frivula, he never retired to rest again after the service of matins. The copy of 'Vacarius,' which was preserved at Bloomkap, showed plain traces of alternate authorship.⁴² The preponderance of legal over other study at Oxford about this time seems to be further attested by the account given by one Daniel, of Morley in Norfolk, of his travels in search of sound learning. Not finding what he wanted at Paris, he had spent some time in mathematical study at Toledo, and returned to his own country with a quantity of valuable works. He was grieved to hear that the liberal arts had been reduced to silence in England, that 'Aristotle' and 'Plato' were forgotten, while 'Titius' and 'Seius' (the John Doe and Richard Roe of Roman law) were all the rage. Not wishing to find himself 'the only Greek among the Romans,' he accordingly set out for the place where, as he was informed, the new study particularly

⁴¹ *Chron. de Lanercost*, Maitland Club, pp. 36, 38. Cf. the Epistle of the university to Pope Innocent IV, in Martene et Durand, *Anecd. Thesaurus*, t. iii. col. 1839.

⁴² *Emonis Chronicon*, Pertz, *Monumenta*, t. xxiii. p. 467; *Menkonis Chronicon*, ib. pp. 524, 551.

flourished. Merlac does not mention Oxford, but we can hardly suppose that he had any other destination.⁴³ The complaints of Giraldus Cambrensis in his '*Speculum Ecclesiae*,'⁴⁴ and his '*Gemma Ecclesiastica*,'⁴⁵ of the desertion of liberal studies in favour of the civil law, and of the haste with which the civilians, before being thoroughly grounded in the Institutes passed on, *per saltum*, to the Digest and Code, apply to Oxford as well as to Paris, and incidental allusions to the Oxford lawyers are not unfrequent in his writings. He has a story of an Oxford scholar, one Martin, who, after studying law at Bologna, was in the habit of bandying savage jokes with the other practitioners in the Oxford courts, taunting them especially with the superficiality of their knowledge of the civil law, as having been acquired *per saltum*.⁴⁶ The Oxford jurists were, it seems, then known as '*pauperistae*,' from their use of the '*Liber Pauperum*' of Vacarius.⁴⁷ This same Martin figures in another of the stories of Giraldus Cambrensis as too audibly correcting the bad grammar of Archbishop Hubert of Canterbury, on the occasion of his holding a court at Oxford (about 1195), 'in the presence of many scholars and jurists.'⁴⁸

The evidence as to the origin of the university may be shortly summed up as follows. No dramatic commencement of it is discoverable. Here a teacher and there a teacher is mentioned, as it were by accident, in the scanty annals or correspondence of the early part of the twelfth century, till at length we come upon a great multitude of teachers and learners, bound together in an organised society. So far as we can judge, these teachers and their scholars were attracted to Oxford by royal patronage, and by the conveniently central position of the town. Their connexion, if any, with the religious houses of the place must have been but slight. As scholars they must have been subject to the authority of the bishop of the diocese. This authority, ordinarily exercised through the *scholasticus*, or the chancellor, of the cathedral, was delegated by the bishop of Lincoln, on account of the distance of his see from Oxford, also to the local archdeacon, and eventually to a chancellor, specially appointed to preside over the scholars on the spot.⁴⁹ In the course of the thirteenth century, the regent masters established the custom that this functionary should be elected by themselves, but it was not till 1368 that they obtained a papal bull

⁴³ *Philosophia Magistri Danielis de Merlac*, MS. Arundel in Mus. Brit. ccelxxvii. fol. 88.

⁴⁴ Dist. i. Prooem. *Opera*, Rolls series, iv. p. 3. Cf. A. Wood, *Historia*, i. p. 56.

⁴⁵ Dist. ii. c. 37, *Opera*, Rolls series, ii. p. 318.

⁴⁶ *Speculum ecclesiasticum*, u.s.

⁴⁷ A. Wood, *Historia*, u.s.

⁴⁸ *Gemma ecclesiastica*, Dist. ii. c. 36, *Opera*, Rolls series, ii. p. 345. Cf. *De Invectionibus*, lib. i. c. 5, *ib.* iii. p. 30, and *Retractationes*, *ib.* i. p. 426.

⁴⁹ Cf. the Legatine decree of 1214, in Anstey, *Mun. Academica*, Rolls series, ii. 2.

dispensing with the necessity of getting their election confirmed by the bishop.⁵⁰

We have seen that there existed at Oxford, in the first quarter of the twelfth century, considerable schools of secular learning and theology, the teachers of which are described as *magistri*, whose functions were *regere clericos, regere scholas*. To these branches of knowledge was added in 1149 that of the civil law, introduced by Magister Vacarius. The canon law followed, and the twin studies soon threatened to drive their elder sisters from the field. In 1187 we learn from Giraldus Cambrensis that the doctors and scholars of Oxford were already grouped under several 'faculties.' Whether or no these 'doctors' had acquired their appellation from being formally co-opted into the order of teachers, we gather from the story of St. Edmund, M.A., that degrees were thus conferred towards the end of the century. It would appear from the language of Abbot Emo, that when he visited the schools of Oxford in 1190 they were currently spoken of as a *commune studium literarum*, a term synonymous with 'Studium Generale,' the earliest technical description of what we now call a university.⁵¹ They could not then be described as a university, because that term had not yet acquired the specific meaning that now belongs to it, but was applied indifferently to any kind of corporate, or quasi-corporate body, and even to any large number of individuals, taken collectively.⁵²

There can, however, be no doubt that long before the close of the twelfth century there existed at Oxford a learned society, academically organised. We may also safely infer, from events which occurred shortly afterwards, that its scholars were then already numbered by thousands, and that the antagonism between town and gown was already accentuated. With the street fights of 1208, leading to the secession of the masters and scholars in 1209, the university emerges finally into the light of history. Kings and popes became interested in her fortunes. By their favour she gradually gained independence of the authority of the bishop of Lincoln, an international recognition for her degrees, and exemption from the jurisdiction of the royal courts. She attracted the friars, Dominican and Franciscan, on their first arrival in this country; but the convents established within her precincts by these and by the older orders were destined soon to be superseded, as homes for students, by the secular colleges which have impressed upon English university life its most characteristic features.

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⁵⁰ Lyte, *History*, pp. 40, 127, 170.

⁵¹ On these terms, see Denifle, *Die Universitäten des Mittelalters*, i. pp. 11, 23.

⁵² How loose was the use of the term even as late as 1243, appears from the letter of that year on behalf of St. Edmund, already cited, in which it seems almost accidental that the masters and scholars are spoken of as a *universitas*, the friars only as a *universa multitudo*.

Richard III.

A DOUBTFUL VERDICT REVIEWED

THE historical problem which the believers in the guilt of Richard III have to solve is the reconciliation of his general character with the special acts of which he is accused. It is incapable of solution. We are told, by the latest and best authority, Mr. Gairdner, that many of Richard's acts were dictated by charitable feelings or a sense of justice, that he had a great deal of native religious sentiment, that he made it his endeavour to prevent tyranny for the future, that he really studied his country's welfare, that there was nothing mean or paltry in his character, that his taste in buildings was magnificent and princely. He not only restored the property of attainted men to their families, but even gave pensions to the wives of traitors who were plotting against him in foreign countries. This is the picture of a generous and high-minded prince. Yet we are asked to believe that the same prince was a venomous hunchback from his birth, that he committed two peculiarly atrocious assassinations before he was nineteen, that he murdered his brother, poisoned his wife, waded through innocent blood to a usurped crown, and completed a career of diabolical wickedness by strangling two innocent children who were his nephews. The two pictures cannot well be true representations of the same person. The first is based on the chance admissions of enemies, and on the study of documents which are official in their character, and beyond the suspicion of bias. The second, therefore, seems to call for close scrutiny before it is accepted. At the first blush it has the aspect of an exaggerated caricature.

We must bear in mind that, on the death of Richard, there was a change of dynasty. Henry VII had no valid title to the throne. It was not only the new king's interest, but a necessity of his position, that he should cause grave charges to be brought against his predecessor, and that they should be accepted as true. Henry VII had the power and the will to silence all comment. We know that he destroyed evidence in favour of his predecessor. Authors employed by him, and others who were anxious to please him and his successors, were alone permitted to write histories. Not a syllable

was allowed to be uttered on the other side for 160 years. Bernard André, Archbishop Morton, and Polydore Virgil were actually in the pay or under the direct influence of Henry VII. John Rous and Robert Fabyan wrote during his reign, accepted his version of events and sought his favour. The Monk of Croyland Abbey, although he wrote during Henry's reign, is the sole writer with even a pretence to independence, for he did not write with a view to publication. Henry VII began the business of vilifying his predecessor very early in his reign. It was indeed a matter of the utmost moment to him, for he appears to have considered that a belief in the alleged crimes of Richard was essential to the security of his own position. He brought over a blind Gascon named Bernard André, whom he appointed his poet-laureate and historiographer. André began to write the life of his patron in 1500. It is very brief, with several gaps, and he left it incomplete when he died in about 1522.

By far the most important of the original authorities and the one on whose testimony all subsequent history has mainly been based, is Archbishop Morton. His narrative is contained in the 'History of Richard III' attributed to Sir Thomas More, who was in Morton's household when a boy. This work first appeared in Hardyng's Chronicle, printed by Grafton in 1543. It was embodied in Hall's Chronicle and copied by Holinshed. Fourteen years after its publication another and somewhat different version was brought out by Rastell in 1557. Rastell was related to Sir Thomas More, and he alleged that his version was taken from a manuscript written in about 1513 in More's handwriting. A Latin version, written long before its publication, was printed at Louvain in 1566 with various additions. It cannot have been the original version, for it is addressed to Henry VIII, and Morton died in 1500. The history, as we have it, contains long speeches and dialogues which must have been fabricated by the writer. The title given by the publisher is misleading. It is not a 'History of Richard III,' but a very detailed narrative of events from the death of Edward IV to the accession of Richard, a period of less than three months. It must certainly have been written or dictated by Morton, for no one else could have been cognisant of some of the events. It ends abruptly at a point just before the date of Morton's flight from England. His personal knowledge ceased with his departure, and here the story suddenly comes to an end. He was personally acquainted with every detail that is related, and he possessed an exceptionally accurate memory.¹ The errors and alterations of dates in the narrative must consequently have been made intentionally and with an object. The story of the murder of the princes at the end of the book cannot have been written by Morton, because it alludes to events

¹ More's *Utopia*, p. 20.

which happened after 12 October 1500, the date of that prelate's death.

John Morton was born at Beer Regis in Dorsetshire, early in the fifteenth century. He began life as a lawyer, and became a master in chancery, increasing his income by taking orders. He took the Lancastrian side in the civil war, and fled to the continent with Queen Margaret in 1462. His fortunes were then at a low ebb, but they brightened when the earl of Warwick came to France to betray the cause of Edward IV. Morton attached himself to Warwick at Angers, went with him to England in 1470, escaped from Barnet to join Queen Margaret at Weymouth, and was with her at Tewkesbury. Obtaining a pardon from Edward, he was made Master of the Rolls, and became one of the greatest pluralists of the age. He was grasping and avaricious. He received a bribe from Louis XI for inducing his own sovereign to accept dishonourable terms of peace, and was further bought with a pension of 2,000 crowns a year. The contrast between the upright conduct of the Duke of Gloucester on this occasion and his own baseness probably explains the wily priest's malignant hostility to Richard. Morton was made bishop of Ely in 1479. On the death of Edward IV he saw a wide opening for his ambition in the chances of a long minority. He was heart and soul in the conspiracy of Hastings and the Woodville faction against the protector. He brought Hastings to his death, but escaped himself. The incorrigible plotter was entrusted to the custody of the duke of Buckingham. By his cunning artifices he induced that weak nobleman to become a traitor. He led Buckingham to his death, but secured his own safety. He then joined Henry Tudor's conspiracy abroad, and it was doubtless through Morton's advice that the Welsh adventurer put forward a claim to the crown. Success at length attended the intriguer's schemes. Henry VII made him chancellor and archbishop of Canterbury. After much importunity a cardinal's hat was obtained for him from the Borgian pope. He became enormously rich, and was one of the most odious instruments of Henry's extortions. In his old age he wrote or dictated this libel on King Richard III in the interests of his patron.

Such was the man who held the principal brief against our last Plantagenet. But Rastell assumed that this 'History of Richard III' was composed by Sir Thomas More because a copy in his handwriting was found among his papers. The previous publication by Grafton proves that there were other copies abroad, differing slightly from each other, and there is no reason for assuming that the copy in More's handwriting was the original. Indeed there is evidence that it was not. Grafton's version contains a good deal at the end which is not in Rastell's narrative attributed to More. The latter ends abruptly, as if the whole had not been copied.

The respect with which this production has been treated is entirely due to Sir Thomas More's reputed authorship. It is in reality an unscrupulous party pamphlet, and its authorship ought not to affect our judgment of its character. Yet the reply to any objection to statements contained in it has hitherto been that it was written by the good and virtuous Sir Thomas More, and therefore must be true.²

If it was written by More, so much the worse for More's character for truth and decency. But internal evidence makes it certain that More did not write it. The author was an eyewitness at the deathbed of Edward IV. Morton was an eyewitness. But More was then a baby in arms, if indeed he was born. This settles the question. Sir Thomas made an incomplete copy of a work which was attracting a great deal of attention, and of which there were other copies in circulation, when he was a young man. The date of the copy is said by Rastell to be 1513. The actual compiler of the book, as we have it, is unknown. But the inspiration of the whole work, with the exception of the story of the murder of the young princes at the end, is undoubtedly from Archbishop Morton. It is not too much to say that the continued belief in the alleged crimes of Richard III is mainly due to the erroneous assumption that his chief accuser was Sir Thomas More.

Another authority is John Rous, the so-called hermit of Guy's Cliff, who was an antiquary and heraldic draughtsman. He knew King Richard personally, and, on a pictorial roll representing a pedigree of the earls of Warwick, he spoke of him as 'a mighty prince and special good lord, the most victorious prince Richard, in his realm full commendably punishing offenders of the laws, especially oppressors of his commons, by which discreet guiding he got great thanks and love of all his subjects, rich and poor.' Rous also wrote an '*Historia regum Angliæ*,' which was not quite finished when Richard was killed. So he dedicated it to Henry VII, and heaped virulent abuse on the fallen king whom he had fawned upon when living with fulsome praise. He crowded his venom into a page or two at the end, an afterthought to please his new patron. The testimony of such an unblushing time-server as Rous must be rejected as worthless. Yet in one or two instances he has unintentionally revealed the truth where the official Tudor writers have endeavoured to conceal it.

Robert Fabyan was a clothier and alderman of London, who chronicled the events of earlier times and of his own day. He wrote during the reign of Henry VII, for he speaks of Lord Stanley as the Earl of Derby, the earldom being a creation of Henry. He was a Tudor partisan, anxious to please the reigning powers, and ready to retail any story against the fallen king, even to wholesale falsification of dates. His chronicle was first published in 1516.

² Sharon Turner, iii. 462; Jesse, 156 n. and 500.

Next to Morton, the Italian who arrived in England in 1501 was the most serviceable writer on the Tudor side. Polydore Virgil was the paid historian of Henry. He was a native of Urbino, and was sent to England by his patron, the infamous Pope Alexander VI, as assistant collector of Peter's pence. Henry requested him to undertake the history, placing all official materials at his disposal, and doubtless indicating the line he was to take. He proved an apt pupil, and was rewarded with several lucrative church preferments. His history was completed in 1534. Polydore Virgil was a man of learning and research, and the early part of his work is valuable and is written in excellent Latin. But he did not hesitate to misrepresent facts not only to please his patrons, but to gratify his own spite and malignity.³ In his account of events in the life of Richard he recorded the version that would be pleasing to his employers. Polydore Virgil had access to the works of Morton, Rous, and Fabyan, and he is said to have destroyed numerous original documents which may be assumed to have disproved his statements.⁴

These five authors are the counsel and witnesses of Richard's unscrupulous enemy and successor. Three were well paid for their work, the other two wrote in the hope of reward and under the strong conviction that their own self-interest made it necessary for them to revile the dead king. The second continuation of the Croyland Chronicle occupies an entirely different position. It remained unpublished for nearly two centuries. There is every reason for believing that the monks who wrote it, though one was prejudiced and the other credulous and easily deceived, intended to relate what they believed to be true. The first part of this continuation bears internal evidence of having been written by one monk who concludes with some local notices respecting the abbey and its inmates. Then another monk took up the chronicling pen, and ended his part in the same way. It is capable of proof that this continuation of the Croyland Chronicle was written by at least two monks. In referring to the death of Henry VI, the first monk prays that the tyrant who caused it may be given time for repentance. This part must, therefore, have been written while the tyrant in question was alive, whether Edward IV, Gloucester, or Rivers is intended. The second monk says at the end that the work was finished on 30 Apr. 1486, and that it was written in ten days. Edward, Gloucester, and Rivers were all dead in April 1486. Consequently, these two passages must have been written by different hands.

The first of these monks was the most judicious of the two, and he had probably once mixed in the world. He mentions a councillor of Edward IV who was a doctor in Common Law. In the

³ Lord Herbert of Cherbury, *Henry VIII*, p. 9.

⁴ Caius, *De antiquitate Cantabrigiae* (1574), p. 52.

margin there is a note to the effect that the same man wrote that part of the chronicle. If this note is to be relied on, the first monk had once been in the service of Edward IV, but he had Lancastrian sympathies like Morton; for he refers to the executions after Tewkesbury as vindictive, and he hints at a rumour that Henry VI met his death by order of his successor. His part of the chronicle covers the period from 1471 to the death of Edward IV. The second monk seems to have known nothing of the outer world, and was very credulous. It is with him that we have to do in this inquiry. When he has not been misled, he gives the dates of events correctly, and this is most important, for by his means the falsifications by the unscrupulous writers in the pay of Henry VII are detected. He alone gives the true grounds on which Richard's claim to the crown rested, which are misrepresented by Morton and Polydore Virgil, and left unstated by Rous and Fabyan.

The later chroniclers, such as Grafton, Hall, Stow, Holinshed, and Buck, copied from the earlier writers. They are not original authorities. Hall's chronicle is little more than a free translation of Polydore Virgil, served up with embellishments invented by himself. For instance, when he described the burial of Henry VI he said that the corpse was conveyed to Chertsey 'without priest or clerk, torch or taper, singing or saying.' It so happens that the accounts of payments have been preserved for obsequies and masses said by four orders of brethren, for linen cloth, spices, and wages of men carrying torches. Stow is more trustworthy. But these later writers cannot be relied upon for facts. It was their habit to add numerous minor details to the stories they received from their predecessors, and it cannot reasonably be doubted that these additions were inventions intended to add force or interest to their narratives. Hall's account of the funeral of Henry VI is one out of many instances. But when these later chroniclers insert or quote from documents the case is different. Thus Hall and Grafton give the conversation between Morton and the duke of Buckingham at Brecknock, being a copy of some original document. Buck gives the substance of a letter from Elizabeth of York to the duke of Norfolk, the original of which he had seen. Hall gives the proceedings of the council when it was decided to confine Elizabeth Woodville in Bermondsey Nunnery. In such cases I think that the evidence of these later writers may be accepted. But we can only use the evidence of writers who were contemporary with Henry VII, in considering the charges against his predecessor.

These writers brought an indictment, in many counts, against Richard III, after his death. It will be seen, in the course of this discussion, with what object these accusations were made, and why a belief in them was considered to be so important to the success of the Tudor usurpation. The reckless profusion of abuse was due to

the complete license of the traducers. No one could appear for the accused. The young king was dead, his corpse subjected to cowardly insults, his friends proscribed, his people silenced. Calumny was triumphant and unchecked. Yet there was method in the scheme of the Tudor writers. Their accusations were all intended to lead up to a belief in the dead king's guilt with regard to one central crime.

The evidence on which the Tudor writers mainly rely for Richard's guilt, as regards the murder of his nephews, is the perpetration of numerous former crimes. We must, therefore, examine this evidence as it relates to each charge. The first concerns Richard's alleged deformity and the circumstances of his birth.

Rous states that he was two years in his mother's womb, that he was born feet foremost, with hair down to his shoulders, with a complete set of teeth, and that his right shoulder was much higher than his left. Morton says that his left shoulder was higher than his right. Polydore Virgil says the shoulders were unequal. Fabyan and the Croyland monk do not say a word against Richard's personal appearance. The obvious fables, in these descriptions, throw just suspicion on all other statements from the same sources. The object of the Tudor historians, in commencing their grotesque caricature of an imaginary monster with these stories of his personal deformity, is apparent. They intended to make him detestable from the outset. They calculated that improbable crimes would be more readily believed, if the alleged perpetrator was a deformed hunchback born with teeth. They were right. Modern writers have also understood this method of treatment. Lord Macaulay was careful to prepare the minds of his readers for the alleged judicial crimes of Sir Elijah, by telling them that little Impey was in the habit of stealing cakes at school. The great essayist, as well as the Tudor historians, knew his public. The one invented the pilfering story, and the others the hump back with a similar object. If a judge had been a juvenile thief, or if a king had been a deformed little monster, the charges against them in after life would be more readily accepted as true. This is illogical, but it is human nature. Richard was described as a hunchback, and made to commit several atrocious crimes, in order to prepare men's minds to receive, without incredulity, the story of the murder of his nephews. It was probably anticipated that this final draft on their powers of belief would be dishonoured unless the alleged murderer had been steeped in crime from his infancy.

At the early age of eighteen Richard is accordingly accused of having committed a cowardly and inhuman murder in cold blood, after the battle of Tewkesbury. His accuser is the Italian who was the paid historian of Henry VII. Contemporary evidence is unanimous in contradicting this accusation. There was only one eye-witness

who wrote an account of the battle. He said that young Edward of Lancaster 'was taken fleeing to the townwards, and slain in the field.'⁵ This was the plain truth. He fought bravely and fell in the retreat. The next writer, in order of time, was Warkworth, but he was not present. He wrote—'There was slain on the field, Prince Edward, which cried for succour to the duke of Clarence.' Bernard André, the paid historian of Henry VII, and Comines say the same; that he fell on the field of battle. Fabyan, writing long afterwards to please Henry VII, is the first who started the story that young Edward was taken prisoner and brought before the king. He added that Edward IV 'strake him in the face with his gauntlet, on which the prince was by the king's servants incontinently slain.' This story must be rejected as fabulous, because it contradicts all the contemporary accounts. But it no doubt suggested to Polydore Virgil a version which would be still more acceptable to his employer. This protégé of Pope Alexander VI conceived the idea of giving it a lurid Borgian colouring, better suited to the latitude of Urbino than to that of Tewkesbury. Instead of the king's servants, he substituted Clarence, Gloucester, and Hastings as the assassins. Holinshed added Dorset.

The question is whether Polydore Virgil repeated a tradition or invented a slander. Rous and Morton wrote with the object of bringing every charge they could collect against Richard. Yet they are silent about the murder of young Edward at Tewkesbury. If there had been a tradition of the sort, they must have known it, and would have eagerly repeated it. In the case of Morton this silence is a damning proof against Polydore Virgil. For Morton was actually present at Tewkesbury. If young Edward was murdered, he cannot have failed to be cognisant of the crime. Yet in a book prepared with the object of enumerating the alleged crimes of Richard he said nothing. He had no scruples. He repeated all he could think of, with the object of heaping opprobrium on Richard's memory, but there is not a hint about assassinating Edward of Lancaster. Morton's silence, under these circumstances, amounts to a proof that the story was not based on a tradition, but that it was a fabrication of the unscrupulous Italian. For if any one knew all the details of the battle of Tewkesbury at first hand, it was Morton. He was there. His silence explodes the fable. It also convicts Polydore Virgil of having fabricated an exceptionally foul slander. The evidence of such a man is worthless on any point in which he or his employer is personally interested.

Virgilii duo sunt: alter Maro, tu Polydore

Alter: Tu mendax: ille poeta fuit.

The charge against the duke of Gloucester that he murdered Henry VI is an insinuation rather than an accusation. Morton

⁵ Fleetwood, *Chron.* p. 30.

says, 'as men constantly say,' Polydore Virgil, 'it was the continual report,' Fabyan, 'the common fame,' Rous, 'as many believe.' We must, therefore, treat it, in the first instance, as a rumour only, and judge of it from probabilities. We are asked to believe that young Richard at the age of eighteen, when he had just won great military renown, arrived at the Tower in the evening of one day, with orders to proceed on active service early the next morning, that he found time to induce Lord Rivers, the constable, who was his political enemy, to deliver up charge to him, in order that he might assassinate a defenceless and feeble invalid with his own hand, a deed in which he was only remotely interested, and which might just as well have been perpetrated by any hired jailer; and that, although the act must have been done with the knowledge of Lord Rivers and his officials, and of Henry's numerous servants, yet there was never any certainty about it. Rivers, be it remembered, was Richard's enemy.

No. This grossly improbable story bears the evidence of its origin clearly marked. It was put forward in the reign and in the interests of Henry VII. It was a rumour manufactured by his paid writers. As Gloucester was only at the Tower for one night, namely that of 21 May, two of his traducers, Fabyan and Warkworth's informant, saw the necessity for placing Henry's death on 21 May. Polydore Virgil forgot this necessity and placed it much later in the month. So that these Tudor authorities do not agree, and are all unworthy of credit. The truth is established by the evidence of Henry's household accounts. The expenses and diet of Henry and his ten servants were paid for fourteen days from 11 May, that is until 24 May, the date of his death.⁶ On the 24th Gloucester was at Sandwich. The only contemporary writer, in a letter to the citizens of Bruges, confirmed this date.

Laing, in his continuation of Henry's History of Great Britain, mistook the day on which the accounts were audited and passed, namely 12 June, for the day on which the expenses were incurred, and concluded that Henry VI was alive on 12 June. This was triumphantly pointed out by Dr. Lingard. But although Laing made a mistake, the date of the auditing does not affect the question. The fact remains that the board of Henry and his servants was paid, and that he was consequently alive for fourteen days after 11 May, that is until 24 May. His murder by Gloucester thus becomes a physical impossibility.

Other charges against Gloucester before his brother's death may be dismissed more summarily. He was said to have forced Lady Anne Neville to marry him immediately after he had murdered Edward of Lancaster, who was her husband. Edward was not her husband, and Gloucester did not murder him. On the other hand

⁶ Rymer, xi. 712.

the two young cousins, Richard and Anne, were brought up together. Years before, at the inaugural feast of Archbishop Neville, they are mentioned as sitting at one table together. Their union was most natural. Anne was her husband's constant companion in every important crisis of his life, in sorrow and in joy, and there is good reason to believe that the marriage was a happy one. The malignant slander involved in the insinuation that Richard poisoned his wife, is due to the brain of the Italian priest, and is a peculiarly Borgia conception. Anne's illness was a lingering decline, during which she was assiduously cared for by her sorrowing husband and her physicians. The calumny that she was poisoned was merely an insinuation, but most of the Tudor calumnies take the form of insinuations. 'It is a charge,' wrote Sir Harris Nicolas, 'which is deserving of attention for no other reason than as it affords a remarkable example of the manner in which ignorance and prejudice sometimes render what is called history more contemptible than a romance.' But it is important as affording a further proof of the untrustworthiness of the authorities who made it, Polydore Virgil and Rous.

The most elaborate and detailed part of the indictment against Richard III refers to the so-called usurpation, including the period from his arrival in London to his coronation. The events of the interregnum had to be represented in such a way that it might appear that Henry Tudor was righteously superseding a tyrannical usurper. This was a matter of vital importance to the intruding dynasty. Accordingly much art was devoted to the preparation of a plausible story, while documents that would contradict it were carefully but not always effectually destroyed. The narrative of Richard's accession is mainly due to Morton. He was a leading actor in, and an eyewitness of, what he described. He was a very able and clever man, and he was intimately acquainted with the facts as they really happened. Consequently every mistake that is detected in his narrative, every date that is falsified, must have been inserted designedly, and with a special object.

Morton opens his case with the assumption that the duke of Gloucester had always intended to supplant his nephew. The truth is exactly the reverse of Morton's version. Gloucester's conduct was straightforward and loyal. After attending solemn obsequies of his brother in York Minster, he called on the nobility and gentry of Yorkshire to swear allegiance to his young nephew. When he arrived in London he ordered preparations to be made for his nephew's coronation, and he sent summonses to forty esquires to receive knighthood of the Bath on the occasion. He also caused the dresses to be got ready, which were to be worn by his nephew at the coronation. These preparations must have been well known to Morton who passed them over in silence, because

they would tend to give a true impression, where he wanted to leave a false one. This state of things lasted for a month after the Protector Gloucester arrived in London with his nephew. On 5 June the protector had fixed the coronation for the 22nd. But now there came a change. On or about 8 June, Dr. Robert Stillington, bishop of Bath and Wells, revealed to the council the long concealed fact that Edward IV was married by the bishop to the Lady Eleanor Talbot, widow of a son of Lord Butler of Sudley, and daughter of the first earl of Shrewsbury, before he went through a secret marriage ceremony with Elizabeth Woodville, the widow of Sir John Grey. Dr. Stillington, when he performed the ceremony, had been strictly enjoined by the king not to reveal it. The Lady Eleanor afterwards retired to a convent at Norwich, where she died, and was buried in the church of the Carmelites.⁷

Dr. Stillington was the second son of a gentleman of good family, living on his own land at Acaster Selby in Yorkshire. He was a churchman of eminence, and in 1466 became bishop of Bath and Wells, and lord privy seal. In 1467 he was installed in the high office of lord chancellor, and delivered an eloquent and statesmanlike speech at the opening of parliament in May 1468. After holding the office of chancellor with dignity and credit for six years, he resigned owing to ill-health in 1473. If the Woodvilles had any knowledge of the first marriage, Bishop Stillington would be a source of anxiety and fear to them. We find that the duke of Clarence was attainted in February 1478, on a series of charges, most of them frivolous and none sufficiently serious to account for his death at the hands of his own brother. There must have been something behind. Mr. Gairdner has suggested that the execution of Clarence was due to his having discovered the secret. Certainly that would account for it. The influence of the Woodvilles was paramount, and it would then be a necessity of their continuance in power that Clarence should cease to live. It is very significant that, at the very time of Clarence's attainder, Bishop Stillington was arrested and imprisoned for 'uttering words prejudicial to the king and his state.' He was pardoned in the following June, 1478. All this points to the discovery of the first marriage by Clarence, and to the utterance of some imprudent speech by the bishop, which was expiated by imprisonment followed by renewed promises of silence.

Dr. Stillington appears to have been a pious and munificent bishop. He founded a collegiate chapel on his brother's land at Acaster, for a provost and fellows, and for free education in grammar, writing, and music. He was an able statesman and diplomatist, and a very loyal and faithful adherent of the white rose. His one fault was that he did not ensure his own destruction by proclaiming Edward's secret before that king's death. There was

⁷ Weever's *Funeral Monuments*, p. 805.

no urgent obligation to do so. But when the necessity arose, he was bound to come forward. Gloucester was only a child when his brother's matrimonial entanglements were formed, and knew nothing. He was eleven and a half when Elizabeth Woodville was taken into favour, and the Butler marriage was of a still earlier date.

The announcement of this previous marriage to the council, by Bishop Stillington, made it inevitable that the matter should be thoroughly sifted. The bishop 'brought in instruments, proctors, and notaries of the law, with depositions of divers witnesses.'⁸ The majority of the council must have seen at once that the illegitimate son of the late king could not succeed. Such a proceeding would inevitably be the precursor of innumerable troubles. The case was prepared to be laid before the parliament which was summoned to meet on June 25. There was, however, a small but powerful minority in the council, led by Lord Hastings and Bishop Morton, to whom the prospect of losing the openings to their ambition offered by the succession of a minor was most distasteful. Both these statesmen had received bribes from Louis XI, and were not, therefore, men of scrupulous integrity. Hastings, indeed, had been guilty of the baseness of accepting bribes both from Louis and from the duke of Burgundy. These malcontents, with some others, commenced opposition, began to meet apart, and intrigued with the Woodville faction. The protector became alarmed and ordered troops up from York. The conspirators secretly issued a *supersedeas*,⁹ ordering the members of parliament not to come to London, so as to prevent any decision from being arrived at respecting the succession. Finally a plot was formed to seize the protector. It was probably a question of hours when, acting on a warning from Catesby, the protector arrested Lord Hastings, and broke up the conspiracy.

Morton relates these events with matchless cunning. His object was to instil a belief that Hastings worked against the Woodvilles throughout, and in concert with Gloucester, thus endeavouring to show that there was no conspiracy. In order to create this impression he gives two false dates. He makes young Richard leave sanctuary, to join his brother Edward, on 9 June. The true date was the 16th.¹⁰ He asserts that Lord Rivers was beheaded on 13 June, the very day of the arrest of Hastings, and he makes a great point of it, observing, as a striking coincidence, that Hastings suffered death on the selfsame day and about the selfsame hour as Rivers, whose execution he had approved. He knew this to be false. Rivers made his will on the 23rd, and was beheaded on the 25th. Morton had a motive for falsifying these dates. He wanted

⁸ Grafton, p. 126.

⁹ Davies, *York Records*, p. 154.

¹⁰ Stallworthe's letter. *Exc. Hist.* pp. 14-16.

it to appear that Hastings was an enemy of the Woodville faction to the end, that he was a party to the removal of young Richard from sanctuary and to the execution of Rivers. But why? Clearly because Hastings was not an enemy of the Woodvilles to the end, because, with Morton and others, he had entered into conspiracy with them against the protector. It was important to conceal this because it justified the protector's action against Hastings, and Morton did so by resorting to a falsification of dates.

The astute prelate's minute description of the scene when Hastings was arrested on Friday, 13 June, is exceedingly clever. We have the reminiscences of an eyewitness, who was also a schemer so dealing with the facts as to leave false impressions, clothed in the semblance of veracious recollections. The tale of the strawberries is a masterly touch designed to give an air of reality to the scene. The withered arm is a fabrication intended to conceal the real charge made by the protector. That charge was contained in the proclamation of which Morton professes to give the substance. The seeker after truth would very much prefer the original text. But it was destroyed. Its destruction is a strong presumption in favour of the protector, and justifies the conclusion that the real charge was a serious one. It is incredible that Catesby merely revealed the nonsense about Jane Shore's sorcery. Morton has inserted this rubbish in order to conceal the real charge made by Gloucester. Morton further alleges that 'Shore's wife was of all women the one the queen most hated,' and that she was the mistress of Hastings. She was really the mistress of Dorset, the queen's son,¹¹ and the motive for bringing in the queen's alleged hatred in this place is to conceal the real position of Jane Shore, which was that of a secret agent between the queen's party and Hastings.

Morton would have us believe that Hastings was beheaded on the spot, without trial, and this story is also told by Fabyan, and adopted by Polydore Virgil. It was a version industriously spread by Morton, as a charge of lawless cruelty and indecent haste against the protector. But it was false. Yet Morton must have given publicity to it very soon after the accession of Henry VII, and was obviously very anxious that it should be accepted as true. The date of 13 June for the execution was given to the credulous old Croyland monk, and was accepted by Fabyan, who must have known it to have been false, with such zeal that he added a few extra touches to the story. Fabyan was in London and knew the truth. Yet he clearly implies that the delivery of young Richard and the execution of Rivers took place before the arrest of Hastings. He also falsified dates to reconcile the alleged date of the execution of Hastings with other events, following Morton in this also. The

¹¹ Rymer, xii. 204.

conclusion seems unavoidable that Fabyan and Morton were in collusion. For both were aware of the truth from personal knowledge, and both perverted it in the same way.

The testimony of master Simon Stallworthe,¹² who wrote a letter from London to Sir William Stonor on Saturday, 21 June, 1483, is quite above suspicion. He said that 'on Friday last was the lord Chambleyn (Hastings) hedded sone after noon.' As Saturday was the 21st, Friday last was the 20th. We here have evidence that Lord Hastings was not beheaded until a week after his arrest, and, as there was no indecent haste, we may assume that there was a trial and sentence before a proper tribunal. It has been suggested that when Stallworthe wrote 'Friday last,' he did not mean Friday last, but the Friday before Friday last. This theory is disproved by the very next line in Stallworthe's letter. He there says that 'on Monday last' young Richard came out of sanctuary. If 'Monday last' meant Monday last, 'Friday last' must be taken to mean Friday last.

The evidence that the story of the hasty execution of the Lord Chamberlain is a fable does not rest solely on Stallworthe's letter. Morton and Fabyan are convicted out of their own mouths. It must be borne in mind that we have several fixed dates. Hastings was arrested on 13 June. It is certain that Thursday, 26 June, was the date of Richard's accession. It is fixed by the year book. Dr. Shaw's sermon was certainly preached on the previous Sunday, that is 22 June. Fabyan, as well as Stallworthe, tells us that the execution of Hastings was on the previous Friday. These are fixed beacons and will lead us to the truth.

Fabyan and Morton had to manipulate these dates so as to make it appear that Hastings was beheaded on the 19th, the very day of his arrest. Fabyan tried to get rid of the week between the 13th and the 20th. He was bound to recognise the fact that the execution was on the Friday before the Sunday of Dr. Shaw's sermon. So he brought the sermon back a week. But the sermon was well known to have been preached on the Sunday before Richard's accession. So he had to move back the accession also, and he placed it on 20 June. Here his dishonesty is detected, for the 20th was not on a Thursday, and that Thursday the 26th was the date of the accession is beyond dispute.

Morton was of course in the same difficulty as regards his dates. But he was far more practised in the manipulation of evidence. Such an old hand would commit himself to dates as little as possible. He would fear them as a thief fears a detective. He only gives one, and he selects the right day of the week, which Fabyan does not. But this is quite enough to convict him. He chose the 19th for the day of Richard's accession, with the very same object as

¹² *Exc. Hist.* p. 16.

Fabyan, to get rid of the gap between the 13th and 20th; well knowing that the right date was the 26th.

We can now perceive the truth, both through the direct testimony of Stallworthe and through the dishonesty of Morton and Fabyan. Lord Hastings was arrested on 13 June on a charge of treason, tried and sentenced, and executed after a decent interval on Friday, the 20th. Richard committed a fatal mistake in not treating Morton and Stanley in the same way. They richly deserved it, and their impunity was his ruin. Richard mourned for Lord Hastings, his old companion in arms, as soon as the danger was over. This is admitted by his bitterest enemy. 'The Protector loved him well and was loth to have lost him.'¹³ The duke of Gloucester showed his respect and love for the memory of Hastings by at once restoring his children in blood, and granting the forfeited estates to the widow. He also liberally rewarded the brother of Hastings for past services, and granted all his requests.

The trial of Lord Rivers, with Grey, Vaughan, and Hawte, followed on that of Hastings. They had intended to keep the government in their own hands by main force, their baggage contained large quantities of armour and implements of war, which was a proof that they contemplated the raising and arming of a large force, and their designs were undoubtedly treasonable. But the long delay in bringing them to trial justifies the belief that their capital punishment was not intended, if fresh treason had not been brought home to them, arising out of the Hastings conspiracy. Morton brings forward the same accusation in their case, and he gives a false date for the execution. He would have us believe that Rivers and his companions were also put to death 'without so much as the formality of a trial.' But his untruthfulness is exposed by the evidence of another Tudor witness. Rous inadvertently let out the fact that there was a trial, not knowing that there was any reason for concealing it. He certainly did not do so out of any good will for King Richard. There was a trial and the Earl of Northumberland presided at it. He was not the sole judge, but the president acting with other judges.¹⁴ He probably sat as a commissioner to execute the office of lord steward, with a jury of northern peers to try Rivers. Morton falsified the date of the executions, making them earlier by twelve days. One of his objects has already been pointed out. The other was to indicate such haste in the executions as would make the absence of any trial appear probable.

The treasonable designs of Rivers and his associates made their condemnation just, and their punishment was necessary for the safety and tranquillity of the country. The accomplished earl philosophically prepared for death. He had played for high stakes,

¹³ Morton (in Rastell), p. 69.

¹⁴ '*Eorum principalis iudex.*' Rous, p. 213.

had lost, and was ready to pay the penalty. He showed his confidence in the integrity and kindly feeling of the duke of Gloucester by appointing him supervisor to the will which he made at Sheriff Hutton on 23 June. The trust was not misplaced. He appointed William Catesby, a meritorious but shamefully maligned public servant, to be his executor.

Morton next proceeds to misrepresent the title of King Richard III to the crown. The point is of great importance and merits close attention. The statement of Richard's title to the throne was drawn up and adopted by the Lords Spiritual and Temporal and Commons, between the 8th and the 25th of June. The document was afterwards embodied in an act of parliament, entitled the *Titulus Regius*, with which the writers employed by Henry VII must have been well acquainted. When Henry came to the throne he ordered this act to be repealed without quoting the preamble, with a view to its purport being concealed. He caused it to be destroyed, and threatened any one who kept a copy with fine and imprisonment during his pleasure. In spite of this threat the monk of Croyland told the truth, but his chronicle remained in manuscript. Henry's conduct affords a strong presumption that the title of King Richard was valid. For he was not content with annulling the act. He granted an illusory pardon to Bishop Stillington, who was the principal witness to the truth of the main statement in the *Titulus Regius*. This was done with the object of keeping silence on the subject of the real offence, which was telling the truth. Henry then arrested him on another trumped-up charge, and kept him in close and solitary confinement in Windsor Castle until his death in June 1491.

These proceedings show the immense importance attached by Henry VII to a suppression of the truth relating to Richard's title to the crown. If the previous marriage of Edward IV with Lady Eleanor Butler had not been true, the falsehood would have been eagerly exposed, and there would have been no occasion to invent any other story. On the other hand, if this marriage really took place, the evidence would have been suppressed and another story would have been invented and promulgated. The evidence was suppressed, and a different tale was put forward. The conclusion is inevitable that the statement of a previous marriage of Edward IV with Lady Eleanor Butler was true.

By a mere accident the original draft of the *Titulus Regius* was not destroyed. It was discovered long afterwards among the Tower records. Its tenor was given by the Croyland monk, and it is printed more fully in Speede's History (1611). Richard's title rested on the evidence that Edward's children were illegitimate owing to the previous marriage with Lady Eleanor Butler, and that the children of Clarence were incapacitated by his attainder. It is

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certain, therefore, that this and this only was the statement made in inspired sermons and speeches at the time; for it was the official case of those who advocated Richard's accession. It is impossible that one ground for the claim should have been put forward officially, and another, which was not only different but contradictory, in the sermons and speeches directed to be made at the same time.

Now all this was perfectly well known to Morton and to Polydore Virgil when they concocted their stories. But they believed that the truth had been so effectually placed out of reach that it was safe for them to adopt what tale they chose. Their business was to conceal the truth. They, therefore, stated that Dr. Shaw preached a sermon on the Sunday before Richard's accession in which he calumniated the duchess of York by maintaining that all her sons were by some other man, except Richard who was the only son of the duke, her husband. The object was to throw the reader off the scent with regard to Edward's own connubial proceedings, by bringing an infamous and very absurd charge against his mother.

This is clearly the tale that Polydore Virgil was instructed to put into Dr. Shaw's mouth, and nothing more. For he alludes to the common report that Edward's children were called bastards by Dr. Shaw, and declares that the report was 'voyd of all truthe.' But Morton contradicts this. He also puts the slander about the duchess of York into Dr. Shaw's mouth, and he goes further, making the preacher tell another tale which would make bastards of Edward's children. According to Polydore Virgil the report that Dr. Shaw made bastards of Edward's children was 'voyd of all truthe.' According to Morton the preacher added that Edward was previously married to a woman named Lucy. It will be seen that these authorities contradict each other. Morton's introduction of the name of Elizabeth Lucy was a red herring drawn across the path. His great object was to conceal the name of Lady Eleanor Butler. The absurdity of Morton's story respecting the woman Lucy will be appreciated when we call to mind that she actually had two children by Edward IV. We are asked to believe that Dr. Shaw, in preaching a sermon in support of Richard's claim to the throne, put forward a statement which, if true, would make two children legitimate, whose legitimacy would at once bar any claim on the part of Richard. Such falsehoods alone discredit the authority of Polydore Virgil and Morton. There can now be no doubt that Dr. Shaw in his sermon, if indeed he ever preached it, simply explained to the people the contents of the petition stating Richard's title, which was about to be presented to him. We know that neither the duchess of York nor Elizabeth Lucy was mentioned in that petition.

Morton and Virgil are wholly unworthy of belief on any point relating to Richard III. One more instance of their misrepresentations may be given. They allege that the cause of the duke of Buckingham's discontent was the refusal of King Richard to grant him the moiety of the Bohun lands, that the duke's suit was rejected with many spiteful words, and that there was ever afterwards hatred and distrust between them. The truth is the exact opposite of this. Richard granted Buckingham's petition in the fullest and most generous manner, giving him the lands under the royal sign manual, and all the profits from the date of signature until the formality was completed by authority of parliament.¹⁵ Of course Morton must have had an object in making this misleading statement. It was, no doubt, to conceal the true cause of Buckingham's discontent and subsequent treason; which were due to Morton's own deceitful and unscrupulous persuasions working on the weak mind of an ambitious and unprincipled nobleman. Assailed by the insidious flattery of this incorrigible intriguer he was hurried into a rash attempt which cost him his life.

The last charge against King Richard is that he intended to marry his illegitimate niece Elizabeth. It is unsustained by any evidence, and is contrary to all probability. Such a project would have stultified the act of parliament on which his title to the crown was based. The king was a politician and was not entirely bereft of his senses. But there is evidence that the scheme was favoured by the girl herself and by her mother, which accounts for the existence of the rumour. Their ages were suitable, the king being thirty-two and his niece in her twenty-first year; and in a letter to the duke of Norfolk, Elizabeth expressed a strong wish to become the wife of her uncle, who, she said, was 'her only joy and maker in the world.' But Richard himself can never have contemplated such a marriage. Directly the rumour reached his ears he publicly contradicted it. 'The whole tale,' says Sir Harris Nicolas, 'was invented with the view of blackening Richard's character, to gratify the monarch in whose reign all the contemporary writers who relate it flourished.' The same may safely be said of the various stories told about Henry Tudor, while in Brittany, having promised to marry Elizabeth. These stories were doubtless an after-thought of Morton, at a time when Henry and Elizabeth were actually married. Repeated by Polydore Virgil, they were retailed, with the customary embellishments, by Hall and Grafton.

We now arrive at the main question round which all these accusations revolve, and to settle which they were invented. For, in attempting an impartial consideration of the question of the fate of King Edward's sons, it must always be remembered that the main

¹⁵ Dugdale's *Baronage*, i. 163.

argument against Richard rests upon the truth of his previous alleged crimes. This argument is destroyed if Richard was not a venomous hunchback born with teeth, if he was not a cold scheming villain who had already committed two atrocious murders, drowned his brother in a butt of malmsey, slandered his mother, poisoned his wife, and waded through the blood of innocent men to a usurped throne. A careful study of the evidence establishes the fact that these accusations are false, and that they were invented by the writers under a new dynasty in order to blacken the character of the last Plantagenet king, and to make the charge against him, that he murdered his nephews, more plausible. For it was a matter of the utmost moment to Henry VII, not only that the boys should have been put out of the way, but that it should be believed that the crime was perpetrated before his accession.

In reality we have to deal with a different man altogether. The real Richard, who is accused of the murder of his nephews, was not previously steeped in crime. The accusation must now be considered as being brought against a prince of the fifteenth century, if not better certainly not worse than the average of his contemporaries. This at once disposes of the chief point of the evidence against him.

We must approach the questions relating to the fate of the two young sons of Edward IV, without having constantly before our minds the grotesque caricature portrayed by the Tudor writers. Although it is not possible, especially at this distance of time, to account for the workings of any man's mind, or for the motives which may control his actions, it is yet necessary to consider this phase of the question with as much light as we can bring to bear on it. Edward IV always evinced unshaken love and affection for his young brother, and showed the most absolute confidence in him at the time of his death. Richard returned this affection with devoted loyalty. He had no love for the Woodville faction, but he must have felt some regard for his brother's children, being such a man as we believe he has now been shown to have been. This feeling of regard would decrease the strength of any motive producing a desire to put them out of the way for his own ends. But there was no such motive. The boys had been declared to be illegitimate by the unanimous voice of parliament. As claimants to the throne they had ceased to be dangerous. Excepting half a dozen Lancastrian exiles, and a few peers whose absence is accounted for by extreme age or youth or the calls of duty, the whole house of lords was at Richard's coronation. Even the Woodville faction had submitted, and was represented at the coronation by Viscount Lisle and the bishop of Salisbury. The mother of Henry Tudor bore the train of Richard's queen, and his uncle Lord Welles was also in attendance. There was absolutely no party for the illegitimate sons of Edward IV at the time of their alleged murder, and

consequently no danger to be apprehended from them. If the story had put the murders after, or even just before, Buckingham's rising, it would be a little more plausible. But it placed them two or three months before the rising, when the king had not the shadow of a suspicion that any opposition was contemplated. There certainly was no motive for the crime.

It may, however, be argued that the workings of men's minds are inexplicable, and that Richard may have committed the crime from a motive which would seem insufficient to any reasonable man. To decide upon this proposition we can only turn to a consideration of his conduct as regards other persons in the same relationship and position as the two boys, and who might possibly give Richard trouble. There were seven such persons, namely, the five daughters of Edward IV, and the two children of the Duke of Clarence. The king treated his nieces with kindness and consideration as near relations, as soon as they came out of sanctuary, and were placed under his protection. The young earl of Warwick, son of Richard's elder brother Clarence, was a far more formidable rival than the sons of Edward. The former was incontestably legitimate, while the latter had been declared to be illegitimate by both houses of parliament. Richard knighted the earl of Warwick, made him a member of his household and of his council, and, on the death of his own son, he made Warwick his heir. It is alleged by Rous that he subsequently displaced the son of Clarence and put him in prison, substituting another nephew, the earl of Lincoln, as his heir. But this is disproved by the York records, where Warwick is shown to be still a member of the council with precedence before Lincoln, only four months previous to the battle of Bosworth. Warwick was still Richard's heir when the end came. We therefore know that Richard did not look upon the children of his elder brothers as enemies to be destroyed, but as relations to be cherished.

We find then that the two young sons of Edward IV went to reside in the royal lodgings in the Tower in June 1483. We have the evidence of Morton that Richard declared 'he would so provide for them, and so maintain them in honourable estate as that all the realm ought and should be content.'¹⁶ In the regulations of King Richard's household, dated 23 July, 1484, some months after the death of his own little son, it is ordained that 'the children are to be together at one breakfast.'¹⁷ That these children were of high rank is shown by the further order that no livery is to exceed the allowance 'but only to my Lord' (Lincoln?) 'and the children.' These children were probably Edward, son of Clarence, and Edward and Richard, sons of Edward IV, the three nephews of the king who formed part of his household. When the realm was threatened

¹⁶ Grafton, p. 127.

¹⁷ Harl. MS. 483, f. 269.

with invasion, they would naturally be sent to places of safety; Warwick and Elizabeth to Sheriff Hutton, Edward and Richard to the Tower.

There are other circumstances which tend to confirm the belief that the king's nephews were alive and well during the whole period of his reign. It is barely credible that, if there had been foul play, the mother could have been induced by any promises to throw her remaining children on the protection of one who had already violated the most sacred ties as regards her two sons. It is, however, just possible that a weak and selfish woman, weary of confinement in sanctuary, might have been induced to come to terms with the murderer of her sons, in order to obtain a comfortable provision for herself and her daughters. But she did more than this: she sent to her other son Dorset, who was safe in France, advising him to return home and reconcile himself with the king. It is absolutely incredible that she could have done this, if her two sons had been foully murdered by this very king, or even if she did not know that they were alive and well. She remained on friendly terms with Richard until his death, and her daughters attended the festivities at his court. Still stronger evidence, in the same direction, is afforded by the letter to the duke of Norfolk, whether it was written by the king's niece Elizabeth, or by her mother as Mr. Gairdner suggests. Neither mother nor daughter could have spoken of Richard as 'her only joy and maker in the world' or have said that she was 'his in heart and thought,' if he had just murdered the sons of one and the brothers of the other. The thing is quite impossible. If this letter was written, or if the queen dowager sent for Dorset from France, which is a fact, the two boys must have been alive and well.

There remain for consideration the rumours which are alleged to have prevailed during the reign of King Richard, to the effect that his nephews had been murdered. It is maintained that, as these rumours were generally believed, Richard must have been guilty, because if he had been innocent he would have taken some steps to disprove the rumours, and he took no such steps—or rather no such steps are recorded by his enemies. The points for investigation are whether such rumours actually existed, and if so, whether they were so general as to reach the king's ears, and make it advisable that anything should be done to refute them.

It is alleged that these rumours took shape during the king's progress to York, in the summer and autumn of 1483. It is nowhere alleged that they existed at any other time during Richard's reign. The authority for a rumour about the fate of the two boys in the summer of 1483 is the Croyland Chronicle; and there can be no doubt that the statement was made in good faith, although the writer may have been deceived. The statement is to the effect that the

princes remaining in custody in the Tower, the people in the south and west of England became anxious for their liberation, that meetings were held on the subject, and that proposals were made to arrange the escape of the daughters of Edward IV, so that, if anything happened to his sons, there might still be heirs of his body. It was also reported that the sons of Edward were dead, though it was not known by what violent means they met their ends. So far the Croyland Chronicle.

No doubt there were partisans of the defeated factions of Hastings and the Woodvilles who were ready to spread any rumours injurious to the king. The question is whether the rumours which reached the ears of the Croyland monk were ever generally credited by the people, so as to call for action from the government. Is it true that they led to loud murmurings from meetings and assemblages of the people in the south and west of England, such as would attract general notice? The only proof offered is that an officer named Nesfield was ordered to watch the approaches of the sanctuary at Westminster, and see that no one left it secretly. But this was a precaution which would have been taken under any circumstances. Polydore Virgil alleges that Richard himself spread a report that his nephews were dead. We know how much credit a statement from such a source deserves.

There is besides strong reason for rejecting the monk of Croyland's story. If the rumours had really existed, and if in consequence there were mutinous assemblages of the people pointing to an insurrectionary movement, the vigilant and energetic young king would have made all necessary preparations to meet the danger. Nothing is more certain in his history than that he was taken absolutely by surprise when he received tidings of an outbreak in Kent on October 11, 1483.¹⁸ No previous rumours can have reached him and they must have reached him if they had gained the popular ear. We must, therefore, conclude that there was no rumour that the young princes had been murdered. The Kentish outbreak was part of the plan for an insurrection, arranged by Buckingham and his friends.

Yet the story had certainly been told to the Croyland monk. If it had not reached him as a general rumour, it must have come direct from some malignant enemy of the king. Was there such a man lurking in the fen country round Croyland? We know that Morton had taken refuge in the Isle of Ely at this very time. If that unscrupulous intriguer was at the chronicler's elbow, the story is fully accounted for. The rumours mentioned in the Croyland Chronicle probably originated with Morton when he was hiding in the

¹⁸ 'The intelligence evidently took the king quite by surprise.'—Gairdner's *Richard III*, p. 267.

fens, and ceased to exist when he sailed for Flanders. Morton and his slanderers went abroad together. The rumours are heard of no more in England, but as soon as Morton reached the continent they reappeared with him. He left England in the autumn of 1483. In January 1484 the murder of the princes was alleged as a fact by the chancellor of France in addressing the States General at Tours. The chancellor may have been told this by some other Lancastrian exile, but it is more probable that it came from Morton. It was seized upon as a pretext for reviling the English king. Louis XI had hated Richard because he opposed the peace which the French king bought from his brother Edward, and because he disapproved of the consequent desertion of England's ally, the duke of Burgundy. The antipathy was inherited by his daughter, the lady of Beaujeu, who became regent on the death of Louis in August 1483. The calumnious insult to the king of England, uttered by the French chancellor, may not have reached Richard's government. If it did, it must have been apologised for or explained away, for some months afterwards, in July 1486, King Richard received an embassy from the French regency to treat of peace. The calumny originated from the spite of Morton, or some other outlawed malcontent, and not from any general rumour.

Fabyan, writing in the time of Henry VII, talked of a rumour and of its having been the common fame that Richard put his nephews to secret death. But this was really what Henry wanted to be 'common fame,' and no one dared to gainsay it. In the year after his accession the usurping Tudor ordered it to be given out that the boys were murdered by their uncle, and his paid writers had to repeat the statement. André said they were killed with a sword. Rous affirmed that they were put to death by some means unknown. Polydore followed Rous. At the same time both Morton and Polydore Virgil inadvertently furnish evidence that no general belief existed in Richard's reign that the boys were dead. The former says that it remained in doubt whether they were destroyed or not in Richard's days, and the latter mentions a rumour that they had escaped abroad. No question arose before King Richard's death. Many persons must have known that his nephews were alive and well treated. After Henry's accession those who knew the truth had a choice between silence and ruin, or even death. Among the mass of the people there was no knowledge of what had happened. Of course, many baseless rumours then became current. The statements accusing Richard, and the assertions that these rumours received popular credit during his reign, merely indicated what his successor wished to be believed on the subject.

It has been used as an argument against Richard III, that his nephew Richard was duke of Norfolk, and that, as he created

Lord Howard duke of Norfolk, he must have previously murdered his nephew.

John Mowbray, duke of Norfolk, died in 1475, leaving one girl, named Anne, as heiress to the Mowbray estates. Edward IV saw an opportunity of enriching his family; so, on 15 Jan. 1478, his son Richard was contracted in marriage to Anne Mowbray, having previously been created duke of Norfolk and earl of Nottingham, the Mowbray titles. Richard's age was seven, Anne was some years younger. She died in infancy. Lords Howard and Berkeley, sons of sisters of a duke of Norfolk, then became co-heirs of the Mowbray titles and estates. It would have been unjust and impolitic to allow their inheritance to be absorbed by young Richard on the strength of an intended marriage with the deceased child. Richard III simply performed an act of ordinary justice in giving the Mowbray titles to Lords Howard and Berkeley, the heirs of the Mowbray family. The former was made duke of Norfolk, the latter earl of Nottingham.

It is scarcely necessary to urge that this act of justice could be performed without the necessity of murdering the little boy, because the dates of the creations prove that young Richard was alive. The dukedom of Norfolk was conferred upon Lord Howard, and the earldom of Nottingham on Lord Berkeley, on 28 June 1483. It has never been pretended by any writer that the young princes were not alive on that day and for several weeks afterwards. Indeed, their deaths before the coronation of Richard III on 6 July would upset the whole story of their alleged murder by his order.

It cannot, however, be doubted that the young princes were made away with. If King Richard was innocent, Henry Tudor must have been the criminal. After the battle of Bosworth, the lucky adventurer marched on London and seized the government. He then became responsible for the surviving members of the royal family of England, legitimate or otherwise. What did he do with them? There were Edward and Richard, illegitimate sons of Edward IV; there was Edward, the legitimate son of Clarence and rightful king of England; and there was John, the illegitimate son of Richard III. They all fell into his hands, and he alone became answerable for their lives. There is too much reason to believe that they all met with foul play at his hands.

In usurping the crown Henry Tudor found himself in a difficult position. His mother's claim was worthless in itself, and moreover it had not yet descended to him and never did, for she survived him. He wisely refrained from stating such a claim as this, although he alleged a vague hereditary right of some sort which he did not explain. There remained the right of conquest with the aid of French mercenaries, and he ventured to put it forward. But he soon saw that he would have to find some other

prop to support his usurpation. Henry was certainly a man of great ability, with an acute but narrow mind. He was suspicious and a lover of mystery, and not naturally cruel. Indeed he showed natural affection when his own interests were not concerned, and he recoiled from crime. Yet he became capable of any foul deed if he deemed it necessary for his own security. But he meditated over a crime for months and even years, and stood trembling on the brink for a long time, before he summoned up courage to act. Even then he much preferred the forms of law, thinking that if he shared the deed with others, the guilt became less. All that was done by this subtle and cold-blooded tyrant was done deliberately.

Henry had the wisdom to perceive that, although his claim of conquest and vague assertion of hereditary right might serve for a time, he must establish some better title to secure any stability for his throne. There was Elizabeth, the late king's niece, whose person he had secured. If she was made queen it might propitiate the powerful Yorkist party. But she was illegitimate. It is true that all evidence of the illegitimacy might be destroyed, but this would raise another difficulty, for her brothers would become legitimate also. Still he finally resolved upon this course. The act of parliament reciting Richard's title was expunged, and orders were given to destroy all traces of it. But this was not enough. There was other work to be done from which Henry long recoiled. Yet without its perpetration his marriage with Elizabeth would be worse than useless.

His first act, after assembling a so-called parliament of his outlawed adherents, was to pass an act of attainder against King Richard and his chief supporters. It is very significant that, although the late king is here reviled in general terms, he is not directly accused of the murder of his nephews. Henry got possession of the Tower at once. If the young princes had been missing, it is certain that the usurper would have promptly accused King Richard of having murdered them, in the act of attainder. But he did not do so. There can only be one explanation of this omission. The young princes were not missing.

Here then was Henry's great difficulty. This fully accounts for the long delay in marrying Elizabeth. He was afraid. He was ready to commit any crime with the forms of law. But a recourse to law was impossible in this case. Whatever he was to do, must be done in profound secrecy. Yet his timid and superstitious nature shrank from a crime, the responsibility of which he could not share with others. He hesitated for months. All evidence of the illegitimacy had been hidden out of sight. He long stood on the brink. At length he took the plunge. He married Elizabeth on 18 Jan. 1486, nearly five months after his

accession. The die was then cast. It became a matter of life and death to Henry VII that the brothers of his wife should cease to exist.

We must now apply the same tests to Henry as we applied to Richard. Had Henry sufficient motive for the crime? It is impossible that a man in his position could have had a stronger motive. He had denied the illegitimacy and had thus made his wife's brothers his most formidable rivals. He dare not let them live, unless he relinquished all he had gained. The second test we applied to Richard was his treatment of those persons who were in his power, and who might possibly threaten his position. Let us apply the same test to Henry. John of Gloucester, the illegitimate son of Richard III, fell into his hands. At first he received a maintenance allowance of 20*l.* a year.¹⁹ But he was soon thrown into prison, on suspicion of an invitation having reached him to come to Ireland.²⁰ He never came out alive. This active well-disposed boy, as he is described in Rymer's '*Foedera*,' fell a victim to the usurper's fears. The earl of Warwick was also in Henry's power. The tyrant hesitated for years before he made up his mind to commit another foul crime. But he finally put the unhappy youth to death, under circumstances of exceptional baseness and infamy. His next supposed danger was caused by the earl of Suffolk, another of King Richard's nephews. This ill-fated prince was delivered into Henry's hands under a promise that his life should be spared. He evaded the promise by enjoining his son to kill him. That son complied, and followed up the death of Suffolk by beheading five other descendants of the Plantagenet royal family. These Tudor kings cannot stand the tests we applied to Richard III, and which he passed unscathed. The conduct of Richard to the relations who were under his protection was that of a Christian king. The executions of which Henry VII and his son were guilty were an imitation of the policy of Turkish sultans.

If the young princes were in the Tower when Henry arrived, his conduct in analogous cases leaves no doubt of their fate. It was the fate of John of Gloucester, of Warwick, and of Suffolk. They may not have been made away with before Henry's marriage, nor for some months afterwards. The tyrant had the will but not the courage. He hesitated long, but, for reasons which will appear presently, it is likely that the boys were murdered, by order of Henry VII, between 16 June and 16 July, 1486.

Then, for the first time, the 'common fame' was ordered to spread the report that King Richard 'had put them under suer keypyng within the Tower in such wise that they never came abroad after,' and that 'King Richard put them unto secrete death.' But Henry feared detection. The mother knew that this was false. If

¹⁹ Rymer, xii. 265.

²⁰ Buck.

the boys were murdered in July 1486, that mother must soon have begun to feel uneasy. She was at Winchester with her daughter when her grandchild Arthur was born on 20 Sept. 1486, and was present at the christening. But she was in London later in the autumn, and before many months her suspicions must have been aroused. She must be silenced. Consequently, in February 1487, 'it was resolved that the Lady Elizabeth, wife of King Edward IV, should lose and forfeit all her lands and possessions because she had voluntarily submitted herself and her daughters to the hands of King Richard. Whereat there was much wondering.' She was ordered to reside in the nunnery of Bermondsey, where she died six years afterwards. Once she was allowed to appear at court on a state occasion. Lingard and Nicolas brought forward a negotiation with the king of Scots, in November 1487, in the course of which Henry proposed that James III should marry Elizabeth Woodville. If he suspected her, they argue, he would not have given her the opportunity of plotting against him as queen of Scotland. Although Henry may have momentarily entertained the idea of getting rid of a woman who knew too much, by this expatriation, he soon changed his mind. She was safer in his power, and the negotiations were broken off. The avowed pretext for her detention was not the real motive, for Henry had made grants of manors to her soon after his accession, when her conduct with regard to Richard was equally well known to him. The real reason was kept secret as well it might be. If the boys ceased to live in July 1486, it was high time for Henry to silence the awkward questions of the mother in the following February. He did so by condemning her to lifelong seclusion in a nunnery.

Years passed on. At length, in 1502 or thereabouts, the first detailed story of the murder of the two princes was put forward, after the execution of Sir James Tyrrel, and was subsequently published by Polydore Virgil. It was to the effect that King Richard sent a messenger to Sir R. Brackenbury, lieutenant of the Tower, with an order to procure the deaths of the princes, before he set out for York. Brackenbury deferred any action until Richard sent Sir James Tyrrel to the Tower, who murdered the children; 'but with what kind of death they were executed is not certainly known.' It is probable that further details were added afterwards, for a much more elaborate fable appeared in the history published by Rastell, and in Grafton. Here it is alleged that 'at the time when Sir James Tyrrel and John Dighton were in prison for treason, they made a confession in August 1483, when on his way to Gloucester, King Richard sent one John Green with a letter to Sir Robert Brackenbury, ordering him to put the boys to death.' It will be observed that here the story of Polydore Virgil has been altered, the place where the king gave the order being changed from London

to the road to Gloucester. Brackenbury refused, as in the former story, and Green returning reported his answer to Richard at Warwick. 'The same night the king said to his secret page, who shall I trust to do my bidding?' The page replied that there was one without who would not refuse. This was Sir James Tyrrel, who was despatched with a letter to Brackenbury to deliver to Sir James all the keys of the Tower for one night. The princes were in charge of Will Slater or Slaughter, called 'Black Will.' Tyrrel appointed one of the jailers named Miles Forest, 'a fellow fleshed in murder aforetime,' and John Dighton, his horsekeeper, to 'commit the murders. Tyrrel caused the bodies to be buried at the stair foot, "metely deep in the ground" under a great heap of stones.' But the king caused their bodies to be removed to another place. Miles Forest, at St. Martin's le Grand, piecemeal rotted away. 'Dighton lived at Calais long after, no less disdained than pointed at.' The narrator concludes: 'Thus as I have learned of them that much knewe and little cause had to lie, were these two princes murdered.' This last sentence is somewhat audacious. They 'that much knewe,' if they ever existed outside the writer's imagination, had very strong cause to lie. The truth, if they knew it, would have been their ruin.

Such is the detailed accusation which was finally put forward. On the face of it there is no confession in this story. It is a concocted tale, and indeed this is admitted. It merely claims to be the most probable among several others which were based on various accounts of the alleged confession. If there ever was a confession, why should there be various accounts of it? It would certainly have been published if it was ever made, and the silence of Fabyan and Polydore Virgil is conclusive against the truth of the story of a confession. It is alleged that Tyrrel and Dighton both confessed. Yet Tyrrel was beheaded for another offence, and Dighton was rewarded with a residence at Calais. If the confessions had ever been made, Tyrrel and Dighton must have been tried and convicted for these atrocious murders, and duly punished. In point of fact Dighton was not arrested with Tyrrel. The names of those who were concerned in Tyrrel's business are given by the chroniclers, and that of Dighton is not one of them.

It is unnecessary to dwell on the absurdities and contradictions in the story itself. But it is worth while to refer to the contention of Sharon Turner and Lingard that the story must be true, on the grounds that the persons mentioned in it were rewarded by King Richard. They mention that Brackenbury and Tyrrel received several grants of land; Green was made receiver of the Isle of Wight and of Porchester, Dighton was appointed bailiff of the manor of

Ayton, Forest was keeper of the wardrobe at Barnard's Castle. All this can easily be answered. Tyrrell and Brackenbury were Yorkist officers of rank, and such grants might have been made to them under any circumstances. As regards the others, either the grants were made previous to the alleged date of the murders, or there is no evidence to show whether they were made before or after, or in any way to connect them with the crime. The statement that Green held the receiverships of the Isle of Wight and Porchester is derived from an unsupported note by Strype, who gives no authority. A man named Dighton was made bailiff of Ayton, but there is nothing to show this appointment was made after the alleged date of the murder. Miles Forest is asserted to have been a jailer in the Tower who was a professional murderer, and rotted away piecemeal at St. Martin's le Grand. These statements are certainly false. Miles Forest was keeper of the wardrobe at Barnard's Castle in Durham, 244 miles from the Tower of London. There he lived with his wife and grown-up son Edward. There is not the slightest reason for believing that Forest entered upon his appointment after the date of the alleged murders, but much to disprove this assumption. He died in September 1484, and, as his wife and son received a pension for their lives, he must have been an old and faithful servant who had held the office for many years.

Dr. Lingard suggested that the pension was granted to the widow because Forest held the post for so *short* a time, assuming that he was one of the murderers in the story. This is certainly a very odd reason for granting a pension. Miles Forest was a responsible old official in a royal castle, living with his wife and grown-up sons in the far north of England, where he died, and his family received a pension in acknowledgment of his long service. We are asked to believe that he was, at the same time, a notorious murderer who was a jailer in the Tower of London, and that he died in sanctuary at St. Martin's le Grand.

How Forest's name got into the story it is not possible, at this distance of time, to surmise. But the author was quite unscrupulous, and the above considerations justify the conclusion that Forest's name was used at haphazard. There was a desire to give names and other details in order to throw an air of verisimilitude over the fable. We see the same chance adoption of a name in the use of that of Dighton. He was not Tyrrel's horsekeeper, nor probably the actual murderer. But there was a John Dighton living at Calais when the story was made up, who was known to be connected, in some mysterious way, with the disappearance of the princes. So the author of the story hit upon his name to do duty as the groom who did the deed. The name of Forest was doubtless

adopted owing to some similar chance. Neither Forest's nor Dighton's names occurs in the authorised version as given by Polydore Virgil.

Henry at first only accused Tyrrel of the murders, but it seems likely that he subsequently put forward some further details. There is an indication of the Green episode in Polydore Virgil. It is, therefore, probable that it was sanctioned by Henry's authority, as well as the details respecting the interment of the bodies. All the rest about Dighton and Forest, and the way in which the crime was committed, is a fabrication based on the authorised story which is given in Polydore Virgil. The Italian was supplied with the statement sanctioned by the king, and he distinctly tells us that the mode of death was not divulged. x

There remains a circumstantial story which may really have been connected with a secret tragedy. It has a very suspicious look of having been parodied out of something which actually happened. It is unlikely to have been pure invention. The fear of detection must have been always haunting Henry's mind. He would be tortured with the apprehension that the vague rumours he had set afloat against Richard were not credited; and this would be an inducement to promulgate a more detailed and circumstantial story. He could not and dared not accuse Tyrrel while he was alive for a reason which will appear directly, but as soon as he was dead it would be safe to do so. At the time when he got rid of Tyrrel his son Arthur had just died. The man's mind would be filled with fears of retributive justice. Then terror of detection would increase upon him. He would long to throw off suspicion from himself by something more decisive than vague rumour. The notion of imputing his own crime, in its real details, to his predecessor, is quite in keeping with the workings of a subtle and ingenious mind such as we know Henry's to have been. Hence Tyrrel, Green, Dighton, and Black Will may have been the accomplices of Henry VII, instead of Richard III. As soon as Tyrrel was disposed of, the circumstantial story might be divulged as his confession, merely substituting the name of Richard for that of Henry, and the name of Brackenbury for that of Digby.

With this clue to guide us, let us see what light can still be thrown on the dark question of the murders. Sir James Tyrrel of Gipping had been a knight of some distinction. He had been on a commission for executing the office of lord high constable under Edward IV. He had also been master of the horse, and was created a knight banneret at Berwick siege. King Richard made him master of the henchmen and conferred several favours on him. But he was not one of the good men and true who stood by their sovereign to the end. His name drops out of history during the last anxious months before Bosworth. He was no doubt a trimmer.

But he could not escape the consequences of his long service under the Yorkist kings. Henry VII deprived him of his chamberlainship of the exchequer, and of his constableness of Newport, in order to bestow those appointments on his own friends. Tyrrel had to wait patiently in the cold shade. But he was ambitious and ready to do a great deal for the sake of the new king's favour. Here was a ready instrument for such a man as Henry Tudor.

The die had been cast. The usurper had married Elizabeth of York and entered upon the year 1486. There was a dark deed which must be done. Henry set out on a progress to York, leaving London in the middle of March. On the 11th of the same month John Green received, from the new king, a grant of a third of the manor of Benyngton in Hertfordshire.²¹ For this favour Green had, no doubt, to perform some secret service which, if satisfactorily executed, would be more fully rewarded. We know from the story what that service was. We also know from the story that Green did not succeed. Henry VII returned from his progress in June, only to find that Green had failed him in his need.

Then Henry (not Richard) may well have exclaimed, 'Who shall I trust to do my bidding?' 'Sir,' quoth a secret councillor (called a page in the story), 'there waiteth without one who I dare well say will do your grace's pleasure.' So Tyrrel was taken into favour, and probably undertook to perform Henry's work with the understanding that he was to receive a sufficient reward. He became a knight of the king's body.²² On 16 June, 1486, Sir James Tyrrel, late of Gipping, received a general pardon.²³ There is nothing extraordinary in this. It was an ordinary practice in those days to grant general pardons on various occasions. But it marks the date when Henry VII found 'one without' who was ready to do his pleasure. Tyrrel, as the story tells us, was given a warrant to the lieutenant of the Tower, conferring on him the needful powers. The murders were then committed, as the story informs us, by William Slater or Slaughter, called 'Black Will,' with the aid of John Dighton. Slater was the jailer. Master John Dighton, however, was not Tyrrel's groom. He was a priest, and probably a chaplain in the Tower. He may have been only an accessory after the fact, in connexion with the interments. The bodies, as we are told in the story, were buried at the stair foot, 'metely deep in the ground, where they were discovered in July 1674.'²⁴ The tale about their removal and the death of the priest was no doubt inserted by Henry to prevent that discovery.

On 16 July, 1486, Sir James Tyrrel received a second general pardon.²⁵ This would be very singular under ordinary circumstances,

²¹ *Materials for a history of the reign of Henry VII*, i. 384.

²² *Ib.* ii. 251.

²³ *Ib.* i. 460.

²⁴ Sandford, v. 404.

²⁵ *Mat. for reign of Hen. VII.* i. 503.

the second pardon having been granted within a month of the first. But it is not so singular when we reflect on what probably took place in the interval. There was a crime to be condoned which must be kept a profound secret. Thus we are able to fix the time of the murder of the two young princes, between 16 June and 16 July, 1486. One was fifteen and a half, the other twelve years of age.

Henry had at length found courage to commit the crime. He may have excused it to himself from the absolute necessity of his position. It had been perpetrated in profound secrecy. If the mother, brother, or sisters suspected anything, they could be silenced. They were absolutely at Henry's mercy. The mother was stripped of her property, immured in Bermondsey nunnery, and left dependent on her son-in-law for subsistence. She was effectually silenced. The Marquis of Dorset, half-brother of the murdered boys, was committed to the Tower; but he succeeded in convincing the tyrant that there was nothing to fear from him, and he was eventually released. The eldest sister was Henry's wife and at his mercy—the wife of a man who, as his admirers mildly put it, 'was not uxorious.' She was within two months of her confinement, and doubtless for that reason her mother kept all misgivings to herself. Henry married the next sister Cicely, in that very year, to his old uncle Lord Welles, who would ensure her silence. The other sisters were still children. Others who knew much, and must have suspected more, had the choice between silence and ruin or death.

Yet the guilty tyrant could have known no peace. He must have been haunted by the fear of detection, however industriously he might cause reports to be spread, and histories to be written, in which his predecessor was charged with his crimes. Then there was the horror of having to deal with his accomplices. Here fortune favoured him. Green died in the end of 1486,²⁵ though hush-money seems to have been paid to 'Black Will' for some time longer.²⁷ John Dighton was presented by Henry VII with the living of Fulbeck near Grantham, in Lincolnshire, on 2 May, 1487.²⁸ But he was expected to live on the other side of the channel.

Sir James Tyrrel received ample recompense. He was appointed to the office of constable of Guisnes immediately after the date of his second general pardon. He was sent as ambassador to Maximilian, king of the Romans, to conclude a perpetual league and treaty. In 1487 he received a grant for life of the stewardship of Ogmores in Wales.²⁹ In 1493 he was one of the commissioners for negotiating the treaty of Etaples with France. Henry, although he was obliged to reward his accomplices, was anxious to keep them on

²⁵ *Mat. for reign of Hen. VII.* i. 617.

²⁷ *Ib.* ii. 298.

²⁸ *Ib.* ii. 148.

²⁹ *Ib.* ii. 188.

the other side of the Channel as much as possible. Dighton had to reside at Calais. Tyrrel was induced to make an exchange, giving up his estates in Wales to the king, and receiving revenues from the county of Guisnes of equal value.³⁰ In 1498 Henry still addressed him as his well-beloved and faithful councillor.

The long-sought pretext for getting rid of Tyrrel was found in 1502. The usurper dreaded the earl of Suffolk, King Richard's nephew, as a claimant to the crown. He heard that Tyrrel had favoured the escape of the ill-fated young prince to Germany. Henry would naturally be terrified at the idea of Tyrrel taking the side of another claimant, and publicly denouncing his misdeeds. He ordered the arrest of his accomplice, but Tyrrel refused to surrender the castle of Guisnes. He was besieged by the whole garrison of Calais. Treachery was then resorted to. Deceived by false promises, and the *pulchra verba* of Dr. Fox, lord privy seal, he unwisely put himself in the power of his enemies. He was safely locked up in a dungeon of the Tower, and beheaded without delay, on 6 May, 1502.

At length Henry could breathe freely. Of his accomplices only Dighton remained, who could be useful as a false witness. But the tyrant suffered for his crimes. The secret removal of his wife's brothers, and of young John of Gloucester, did not complete the catalogue. The earl of Warwick was the next victim; for he was a living reminder of his wife's illegitimacy. If Elizabeth had been legitimate, there would have been no danger to Henry from the existence of Warwick. That young prince would have been far removed from the succession. His wife's illegitimacy made her cousin the rightful heir, and hence another crime seemed necessary. Henry delayed its perpetration for years. At length he committed it, at the dictation of Ferdinand of Spain. But remorse gnawed the tyrant's heart. The Spanish ambassador noticed the change that had taken place in Henry's appearance since the murder of young Warwick. Don Pedro de Ayala had been in Scotland during the interval. The king had come to look many years older in a single month. Yet he contemplated another crime to make his position safe. He could not get the earl of Suffolk into his clutches without giving a solemn promise to spare his life. He evaded the promise by enjoining his son to commit the crime. Murderous designs thus occupied his mind on his deathbed.

Henry became haggard and restless. Prosperous and successful as the world deemed him, we may rely upon it that his crimes were not unpunished. His cowardly nature was peculiarly susceptible to the torturing pangs of remorse. He died, full of terrors, prematurely old and worn out, at the early age of fifty-two, on

³⁰ *Mat. for reign of Hen. VII.* ii. 251, 252, 253, 254.

21 April, 1509. He accumulated riches by plunder and extortion. He cleared his path of rivals. He established a despotic government. We are told that he inaugurated a new era—era of benevolences and star-chamber prosecutions. In all these things he was successful as the world counts success. As a slanderer he was pre-eminently successful. He succeeded in blackening the name of a far better man than himself for all time.

CLEMENTS R. MARKHAM.

*The Date and Authorship of the
'Examination of Complaints' attributed to
William Stafford*

IN 1581 was printed in London a treatise entitled 'A Compendious or Briefe Examination of Certayne Ordinary Complaints of Divers of our Countrymen in these our Dayes,' by W. S., gentleman. The book was reprinted in 1751, and its editor endeavoured to expand W. S. into William Shakespeare. This attempt was refuted by Farmer in his 'Essay on the Learning of Shakespere,'¹ and he called attention to a statement of Anthony Wood² that the book was the work of one William Stafford, concerning whom he gives no further information; and subsequent endeavours to discover more about William Stafford have not proved satisfactory. The book, however, has been regarded as an authority of considerable importance for the economic history of the beginning of Elizabeth's reign. It was reprinted in vol. ix. of the 'Harleian Miscellany' and in 1876 by the 'New Shakespere Society.'

None of the editors of the treatise seem to have been aware of the existence of any manuscript copies, but there are at least two, and an examination of them shows, I think, that the work was not written in 1581, but at a much earlier period, and did not in its original form refer to the condition of England under Elizabeth, but in the reign of Edward VI; and further, that it was not written by Stafford, though its actual authorship may still be a matter of some uncertainty.

Of these two manuscripts one is in the Bodleian Library (Add. C. 273) and was formerly in the possession of the Earl of Jersey. It was noticed in the 'Eighth Report of the Royal Commission on Historical Manuscripts' (App. part i. p. 92), and a considerable extract was made from it, but it was not recognised as connected with the treatise attributed to W. S. This manuscript is written on paper and bound in a contemporary binding. It is entitled 'A Discourse of the Comonweal of thys Realme of Englande,' but it bears no author's name. The other manuscript is now

¹ P. 81.

² *Fasti Oxonienses*, ed. Bliss, i. 378.

in the possession of Mr. Lambarde, of Beechmont, Kent; it also is written on paper and bound by itself.³ Both manuscripts are in good preservation.

A comparison of the two manuscripts showed that they were practically the same. They are in different handwritings, the spelling differs, and occasionally two or three words vary. The Bodleian omits a few lines at the end of Lambarde,⁴ and the Lambarde has no table of contents. But when the manuscript version is compared with that of the printed treatise we are conscious at once of a number of differences which run through the book and alter its character. It might have been difficult to determine the relation between these two versions; but fortunately the Lambarde manuscript contains a note in the handwriting of its original owner, William Lambarde, the antiquary, author of 'The Perambulation of Kent,' who held the office of keeper of the records during the reign of Elizabeth. Lambarde has written, 'Note that this booke was published in printe under the Title of a brief conceipte of Inglishe Policie, by one W. S. in the yeare 1581, whereas it was long synce penned by S^r Thomas Smythe (as some say) or Mr Jhon [] (as others thinke) eyther in the reigne of H. 8 or Ed. the 6. I myselfe have long had this copie of it which I caused to be written out in the yeare 1565, William Lambarde.'⁵

In the presence of such evidence we are justified in assuming that the printed treatise is a redaction of the manuscript original, with such changes as were necessary to adjust it to the date at which it was published, or at all events with the omission of references which were no longer applicable. The printed volume contains a dedication to Queen Elizabeth, which is not found in the manuscripts. A comparison of the opening paragraphs of the introduction as they appear in the manuscripts and in the printed volume may serve as a specimen of the redaction to which the original has been subjected.

Manuscript.

Considering the manyfolde complaints of our men touching the decay of this comonwealthe that we be in, mayde more at this present than of long time past have bene harde, some imputyng it to one thyng and some to another. And albeit I am not of the kynys counceile to whom the consideration and reformation of

Printed copy.

Considering the diverse and sundry complaints of our countriemen in these our daies, touching the great alteration of this commonwealth within the compasse of these few yeares lately past, I thought good at this time to set doune such probable discourse for the occasion hereof as I have hearde oftentimes uttered by

³ I am indebted to the courtesy of Mr. Lambarde for an opportunity of examining it fully.

⁴ The last nine lines in the edition published by the New Shakespere Society, p. 99. To this edition reference will, for convenience, be made.

⁵ This is mentioned by Nichols (*Bibliotheca Topographica Britannica*).

the same doth chieflie belong, yet knowing myselfe to be a member of the same common weale and can lok to be one of the comen house where such things ought to be treated of, I cannot reckon my selfe a mere straunger to this matter, not more than a man that were in a shippe whiche being in daunger of wracke might say that because he is not percase the maister or Pylate of the same, the daunger therof doth pertayne nothing at all to him. Therefore having now some vacacion from other businesse mee thought I could not apply my study to a better thyng than to make some discourse wyth myself.

men of sounde learning and deepe judgement. And albeit I am not one to whom the consideration or reformation of the same doth especially belong: yet, knowing myselfe to bee a member of the same common weale, and to further it by all the wayes that possibly I may, I cannot reckon and account myself a meere straunger to this matter, no more than a man that were in a shippe, which being in daunger of wracke, might say, that because he is not (percase) the maister or Pylate of the same, the daunger thereof dothe pertayne nothing at all to him. Therefore having now suffycient leasure from other businesse, mee thought I could not apply my study to a better end than to publishe and make relation of such matters as I have hearde thoroughly disputed herein.

It will be seen that everything relating to the personality of the writer has been carefully toned down, and the reference to the 'kyngs counceile' has been replaced by a general phrase. Throughout the manuscript we have the terms 'kynges highness,' 'kynges grace,' where in the edition of 1581 we find omissions or equivalent expressions applied to a queen.

We have not to go far in the comparison before we find a clue to the date at which the original treatise was written. The book itself is in the form of a series of dialogues between a knight, a merchant, a husbandman, a capper, and a doctor. The first dialogue begins—

Manuscript.

After I and my Fellowes the Justices of peace of this county had the other day declared the kynges highness commission touching inclosures.

Printed copy.

After I and my Fellowes, the Justices of peace of this commonalty, had the other day declared the Queenes highnes commission touching divers matters and geuen the charge to the inquest.

The change from definiteness to vagueness is here more strongly marked. We may leave the printed copy aside and pursue the indications given by the manuscripts. 'The commission touching inclosures' was an important matter and can be tolerably easily identified. In June 1548 six commissioners were appointed to hold inquests in several of the midland counties where the practice of inclosing

the commons to pasture sheep was carried to the greatest extent. Immediately following on the inquests came the rebellions in Devon, Hertfordshire, Somerset, Gloucestershire, Wiltshire, Hampshire, Sussex, Surrey, Worcestershire, Essex, Kent, Oxfordshire, Berkshire, Yorkshire, Norfolk, which were in great measure due to the inclosures, although the changes in religion also gave rise to discontent.⁶

In the treatise there are several allusions to social disturbances. The doctor, when discussing the inclosures, says :—

This I thinke in my minde that if that kinde of inclosing doe asmuch increase in twentye yeares to come as it hath done in twentye yeares past, it may come to the great desolation and weakening of the kinges strength of this realme, which is more to be feared then dearth and I thinke it to bee the most occasion of any thinge yee spake yet, of these wilde and unhappy vprores among vs for by reason of these Inclosures many of the kynges Subiects haue no Grounde to liue vppon, as they had before time and occupations be not always set a worke all alike, and therefore the people still increasinge, and their liuings diminishing it must needs come to passe that a great part of the people shalbe idle and lacke liuinge, for hunger is a bitter thing to beare. Wherefore they must needes when they lacke, murmur agayn them that haue plenty and so stirre up these tumultes.⁷

The capper, on the other hand, attributes the disturbances to differences on religious matters : ' This contention is not also the least cause of theyse wild vprores of the people some holding of the one learning and some of the other.'⁸

Besides these two occasions of discontent, which agree with what we know of the opinions of the rebels of 1549, the manuscripts tell us of a third. When the discussion turns on the benefit that artificers bring not only to their masters but also to the king,⁹ the doctor says :—

I perceyue that there be many greate men of that opinion in this realme, or els they had not had doubled the custom of the clothe nor charged all clothes made within the realme with xij^d in euery pounce in the laste subsidie which was the verye highe waye to make clothiers to give up theyr occupying as I feare it hath done, and brede moche of the inconvenience that ye sawe here this last sommer, and is like to be occasion of more if they holde on in that opinion.

The unusual experiment of a subsidy on cloth was tried in the third year of Edward VI's reign. A ' Bill for the Relief of Subsidy of Goods, Sheep and Clothes for Three Years ' was passed in 1548,¹⁰ but it was no sooner enacted than steps were taken to repeal it. On 16 Nov. 1549, ' a Bill was exhibited by diuers clothiers of Devon for remitting of the Act of Relief for Making of Clothes.'¹¹ On the

⁶ Strype, *Eccl. Mem.* vol. i.

⁷ P. 40.

⁸ P. 20.

⁹ P. 70.

¹⁰ 2 & 3 E. VI. c. 36.

¹¹ *Journals of the House of Commons*, vol. i.

18th of the same month there is this entry in the Commons Journal : ' That Mr. Speaker, with the King's Privy Council of the House, and twelue other of the House, shall be Suitors to know the King's Majesty's Pleasure by his Council, if upon their humble Suit, they may treat of the last Relief for Clothes and sheep, at four of the clocke after noon.' ¹² The petition was granted, ¹³ and on 11 Dec. a new ' Bill for the Discharge of the Branch for Payment for Sheep and Clothes in the last Act of relief, and another Relief of Goods, granted for one other year,' was read in the Commons for the first time. ¹⁴ It rapidly passed its stages, and passed the lords on 17 Jan. ¹⁵ The summer of 1549 was therefore the only one in which such a subsidy existed, and there seems no reason to doubt that it is the one mentioned by the doctor.

Another event of the same summer is noted in the treatise. In one of the first speeches put in the mouth of the merchant he complains that though many things which were occasions of expense have been put down prosperity has not increased. The occasions of expense which he names are ' Stage playes, interludes, May games, Wakes, Revels, wagers at shooting, wrestling, etc.' ¹⁶ A proclamation was issued in Aug. 1549 for the 'inhibition of players.' ' The kinges majestie commandes all and every his majestie's subjects . . . that from the ninth day of this present moneth of August, untill the feast of All Saints next coming, they, nor any of them openly or secretly play in the English tongue any kinde of Interlude play, dialogue, or any other matter set forth in form of play, etc.' ¹⁷ As to wrestling, in ' Wriothesley's Chronicle,' under the year 1549, is the entry : ' Memorandum, yt was ordeyned at a Court of Aldermen that the wrestling should be put down and left for this yeare because of the commotion of Norfolk and other partes of this realm.' ¹⁸ In the following year the wrestling was permitted, ¹⁹ and in 1551 'a wrestlinge and a shooting.' ²⁰

The causes of increasing poverty and misery of which the merchant complains are enumerated by the doctor : ' First, this universal dearth is the chiefest grieve that all men complains most on. Secondly, the exhausting of the treasure of this realme. Thirdly, turnyng of erable Grounde to pasture. Fourthly, decaying of Townes, Towneshippes and Villages, and last, deuision and diuersitie of opinions in religion.' ²¹ All of these points were matters of complaint in the reign of Edward VI, and we have accounts of them from well-authenti-

¹² *Journals of the House of Commons*, vol. i.

¹³ *Ib.*

¹⁴ *Ib.*

¹⁵ *Journals of the House of Lords*, vol. i.

¹⁶ P. 16.

¹⁷ *Proclamations*, printed by Grafton.

¹⁸ *Wriothesley's Chronicle* (Camden Society), p. 21.

¹⁹ *Ib.* p. 42. These entries about wrestling refer only to London, but they seem to show that the inhibition was merely a temporary expedient. Local information would be necessary to confirm the conclusion.

²⁰ *Ib.* p. 54.

²¹ P. 75.

cated sources ; it is worth while to notice how very closely some facts of the treatise coincide with these statements.

Touching the dearth, the writer calls attention to the fact that it is dearth in spite of plenty. 'I neuer sawe more plenty of Corne grasse and Cattell of all sortes, than wee haue at this present, and haue had al these three yeares passed continually.'²² 'There was neuer more plenty of Cattell then there is nowe of all sortes ; and it is scarcity of thinges which commonly make dearth. This is a maruaylous dearth that in such plenty cometh contrary to his kinde.'²³ Provisions and wares of all kinds, he says, have risen in price within the last few yeares with one exception ; 'Thanked be God, Corne is good cheape and so hath bene these three yeares past continually.'²⁴ 'These three or foure yeares past through the great bounty of God, we haue had much plenty of Corne whereby it hath beene good cheape, one acer bearinge as much corne as two most commonly were wont to do.'²⁵ When the commissioners on inclosures were making their circuit in 1548, one of them, John Hales, gave a charge to the people when he read the proclamation and the articles of inquest. The charge²⁶ is full of interest as giving an account of the evils in connexion with the inclosures. In one sentence he mentions the plenty and the dearness of everything but corn. 'Al things at this present, saving corn (which by reason that it is in poor mens hands who cannot keep it, is good cheap) be so dear as neuer they were : victual and al other thinges that be necessary for mens use. And yet as it is said, there was never more cattel, specially sheep, than there is at this present.'²⁷ That was in 1548. In the following year 'corne beganne to wax very dere in England,'²⁸ and it continued to rise in price throughout the reign, and not only did it rise in price but became so scarce that it had to be imported from the continent,²⁹ and in 1550 commissioners were appointed to inquire into the scarcity.³⁰ The prices of other things also continued to rise, and in spite of all attempts to lower them by forbidding exportation, and issuing proclamations to fix prices, everything remained dear.

The second cause of the dearth, the exhausting of the treasure, is touched on at considerable length. The doctor states that as soon as the price of the coin was enhanced the merchants collected the old coin and had it conveyed out of the realm. On 11 April 1549 a proclamation was issued which stated how 'diuers persones had conveyed gold coyne, and *especially the old coyne* out of the realm,' and forbad this under severe penalties.³¹ The same proclamation

²² Wriothesley's *Chronicle*, p. 17.

²³ P. 32.

²⁴ P. 17.

²⁵ P. 43.

²⁶ The charge is extant in the Lansdowne MSS., from which it was printed by Strype. *Eccl. Mem.* vol. ii.

²⁷ Strype, *op. cit.*

²⁸ Wriothesley's *Chronicle*, p. 30.

²⁹ *Ib.* p. 45.

³⁰ *Ib.*

³¹ *Proclamations.*

also declared that 'sundry persones in the parties beyonde the seas, haue now of late attempted to counterfeict the Testors, Shillynges, Grotes and other the kinges maiesties coynes of siluer, and in greate multitude do priuely bryng them into this Realme,' and charged diligent search to be made for the same.³² The base coin from abroad is also mentioned in the treatise.³³ The manuscript copies compare the current angel with the pure angel. 'In the old coyne itself ys not the aungell that was before but xx grotes nowe at xxx, and so all other olde coyne after the same rate, but I thynke there is no more siluer geuen in the xxx grotes now than was before in xx grotes yf it be so mych.' At the beginning of Edward's reign the angel was valued at 8s.; in the proclamation above quoted (April 1549) it was raised to 9s. 8d.; in 1551 was coined an angel of ten shillings. This last would at first sight seem to be 'the aungell at xxx grotes,' to which the writer alludes, but it has to be remembered that before the angel was issued at ten shillings there had been two falls in the valuation of the groat, and the angel of 9s. 8d. might easily pass in ordinary transactions for at least thirty groats of debased issues. In July 1551 the groat was called down from fourpence to threepence, in August of the same year from threepence to twopence, and in the following October groats were called in, and in the new coinage of that month, of which the angel of ten shillings formed part, there was no groat; at least no fourpenny or threepenny or twopenny pieces were issued, and the term groat was now applied to the twelvepenny piece.³⁴ The angel at 'xxx grotes' is more likely to have been that of 1549.

In the third dialogue the manuscripts have the following passage on this subject of the coinage, for which a shorter one was substituted in 1581:—

Nowe what remedie (q. I) for all these thinges?

Ye see (q. the doctor) now the meane yourself, if this be the efficient cause as I think it is. And I knowe none other meane to amend any-thing that is amisse, but other by an other president that is well, or by arte. And if we take the first waye we may haue eyther our common weale when it is well for a president, or an other common weale that we see well ordered, to whose example we might conforme our thinges. If the other way do like us better to do it by arte, we muste then seke out the right causes of these effectes, and by taking away the chiefe and efficient cause the effectes be taken awaye that procede thereof, as I haue ofte said.

I pray you (q. I) tell playnly your deuise, what causes be those, that ye wolde haue taken awaye, and howe these thinge may be amendid.

I will [vnder protestation] (q. the Doctor) that if ye like it not ye do

³² *Proclamations.*

³³ Pp. 38, 62.

³⁴ Compare the entry in Edward's *Journal* for October 1551: 'The commission for the making of fine shilinges, hauf-five shilinges, grotes and sixpences 11 oz fine and pence with haupence and fardings foure ounces fine was followed and signed.'

tell your phantasies to it, and reiect it, if ye like it or any parte therof to use it at your pleasure. I meane (q. he) that all the coyne nowe currant shoulde be after a certayne daye not currant, but as men lust to take them after the estimation of the stuffe, & the olde coyne or newe after like value and quantitie, and names to be onely currant, and so the coyne thoroughly restored to the olde goodnes and value.

All the treasure (q. I) in this realme is not able to do that by and by at ones, except it might be amendid by a little and a little some this yere & some the nexte. [Howe meane youe that? I meane thus to amend the grote by one halpenny this yeare, & so the next yeare an other.]

Godd forbidde (q. the doctor) that ye sholde aduise the kinge to do so, for that shoulde be a meane (as it hath bene alredy) to putt the king to charge and the matter neuer a whitt the better amended.

Howe so (q. I).

Mary (q. the Doctor) I will shewe you. If yt meane one waye thus, if this coyne that we nowe haue being currant, the kinge wolde mend his coyne that he makes from henceforth a portion, at j. d. or ob. in a peece, ye will graunt that that coyne, whan it commeth abrode the same shall be in iuste value better by j. d. or ob. than the other, that we haue nowe.

Yes no doubt (q. I).

Than (q. the Doctor) shall not the other olde coyne be as currant, as it abrode?

Yes (q. I).

Well than (q. the Doctor) when goldsmithes, merchauntes, and other skilled persones in mettall do perceau that the one grote is better than the other and yet that he shall haue asmoche for the worst grote as for the better, will not he laye up the better grote alwayes & turne it to some other vse, and put forth the worst, being like currant abrode? Yea no doubt, even as they haue done of late with the newe golde, for they apperceauange the newe coyne of golde to be better in estimation than the newe coyne in siluer that was made to counteruayle it, picked out all the golde as faste as it came forth out of the minte, and laid that aside for other uses. So ye haue nowe but litle newe golde more then the olde currant. And so both the kinges highnes is deceaued of his treasure and the thinge entended neuer the more brought to passe; and all is because there is no dewe proportion kepte betuene the coyne, while the one is better then the other in his degree. And as I ment [to shew] you another way: if the kinges highnes sholde call in sodenly, all this coyne nowe currant, and sett forth a newe coyne some what better, but yet not all so pure as the olde, I take a like decepte shall growe to the king by the minters, for while the mettalles beinge confounded together cannot be iustly proporcioned without resoluing agayne euery one to his owne kinde, the minters maye do what deceipte they luste, and use that incertayntie for their owne lucre. And if in an ounce or twoo they shold be founde faultie, than they might say they melted together a greate quantitie and that lackes of our standarde in this porcion is supplied in another. And so they can neuer be well burdened to do their dutie, but leste, to their owne conscience, which I feare me will be large inoughe, yet this waye were but a patchinge of the thinge: and as moche as it mended of one thing one waye, it shoulde paye another waye.

Than (q, I) what and the kinge wolde make the grote lesse, and make it pure, and so other coynes?

All sholde than come to one matter, for I had as lieue haue xⁱⁱ of brasse, as one ounce of siluer. And it is not in the poure of my pointe to make the ounce of siluer worth twayne, nor yet of golde, nor of other metall. And I had as lieue haue a halfpenny called an halfpenny, as to haue an halfpenny that sholde be called j. d. well a man maye chaunge the name of thinges, but the value he cannot in any wise to endure for any space, except we were in suche a countree as Utopia was imagined to be, that had no traffique with another outwarde countree. And therefore I wolde haue the iust proportion kepte in this coyne, not onely in qualitie, but also in quantitie for if ye sholde admitte alteration other in the one or in the other, ye must bringe in withall many absurdities, for albeit the prince might strike coynes of other quantities and of other names then they were of before tyme—though they were neuer so pure: yet because the accompte of mens liuinges, rentes, stipendes, debtes, and duties vseth the names of coynes heretofore accustomed, as poundes, markes, nobles, royalles, and shillings, and all writinges made by these names: ye cannot alter any of the same, but ye must bring moche alteration withall in euery mannes reuenues, debtes, and duties, as nowe appeareth well by the alteration of the goodnes of the coyne it hath done: which the kinges highnes chiefly, and nexte his grace the noblemen and gentlemen may well finde at their accompte if they consider the matter well.

That I fele (q, I) to be true in myselfe thoughe I knowe not the reason why, for albeit I may spende more nowe then I coulede xvj. yeares ago yet I am not able to kepe like howse that I did than.

No meruayle (q, the Doctor) it shoulde be so, ye remember, I trowe, that I sayd to daye a morning vnto you, that the coyne is called of Aristotle the common measure of all thinges? Than putt case that ye had no rent in money but payde you in suche necessities, as ye muste nedes occupie, as in so many busshels of corne, and so many yarde of clothe, the busshel and the yearde beinge of the measure they be nowe, when ye did sell forth your lande. If the busshel and the yearde shoulde be afterwarde made less by the one halfe, and then if ye were paid out of so many busshels of corne & so many yarde of clothe, as ye had before in number, but yet after that measure yt was after made lesse, might ye then feede so many persons, and clothe them as ye did before.

No (q, I) by the one halfe, for so moche is taken awaye of the stuffe, that I shoulde do it withall by your reckeninge, but is the coyne a common measure counted as ye saye, that may take moche diminution or abridgement as other measures maye.

It is not my sayinge onely; it is Aristotles the sharpeste philosopher of witte that ever was, as I said before.

Mary (q, I) if that be true, the kinge himselfe is moste loser, and than his nobles and gentlemen, which is his chiefe strength in time of nede: and all other that are paid by this measure being of olde appointed to a certaine number of poundes, markes or shillings. And I perceauie they that pay by this newe measure, and yet but after the olde number must nowe nedes be greate gainers.

Ye no doubte. I perceau now (q₃ the doctor) ye fele the matter yourselfe.

No doubt it must be thus (q₃ I). But one thinge more I muste aske you howe they do than in fraunce & flaunders where they haue both brasse coyne, mixt coyne, pure silver, and pure gold currant together.

I warrant you (q₃ the Doctor) by kepinge of due proportion of euery metall towardes other, as of brasse toward siluer one hundred to one, of siluer towardes golde twelue to one, for this proporcion of siluer towardes golde I thinke cannot be altered by thauthoritie of any prince, for if it might haue bene it shoulde haue bene ere this by some nedy prince or other within this two m^l yeres, for so long it is since Plato that other greate philosopher was which for his excellent wisdome was called diuine Plato. He in his dialogue called hipparchus sheweth that the said proporcion was in his time betwene siluer & golde & the same continueth nowe still, for xij ounces of siluer is worth but one ounce of pure golde at this day. And so whan six angells made an ounce of gold xx grotes of pure siluer making two ounces of siluer counteruaild the angell. And so xl. s. in siluer answered the xl. s [*sic*] in golde.

Still ye wolde haue us returne (q₃ I) to our olde pathe, from whence we strayed: but all the masterie is in the deuising of the meane howe.

Surely it requireth some sharpe and prouident deuise (q₃ the Doctor) but that is nothing so harde, nor the inconveniences growing thereof as some; whiche muste nedes be so buisily provided for as these, and are like more & more to growe by the suffering of the coyne to be in the case y^t it is nowe. And thinges naturally do reuerte & with lesse difficultie to their olde trade, than to any rare or insolent usage. And people must nedes be pleased with that, they were accustomed to before, and wilbe contented to beare some payne to bringe it thereto.

Well (q₃ I) sett the case as ye wolde haue it, and lett me & my frendes here se what inconveniences may growe therof.

Ye put me nowe (q₃ the Doctor) to a greate matter, & exceding my simple witte. That wolde be deuised by the great wise heades of the counsell or of the parliament, or of some piked number of lerned and wise men chosen of them & putt together to consulte of this matter a greate space. I haue percase waded farther than my part was, to speak so farre & to tell y^t the thinge must ones be done.

What harme is it (q₃ I) though we imagined here a whole common weale among our selues, so it be not sett forth, as though we wolde nede haue it after our deuise. This good it may percase do, that here of you (maister Doctor) I maye heare some sensible reason, that when I come to the parliament (whereof I am unworthie) I maye there declare which might enter into some mens eares, that might do good herein. And therefore go throughe and tell your deuise. It shall go no further for us.

It is daungerous (q₃ the Doctor) to meddle in the king^e matters, and specially if it maye haue any liklihood to minishe his profite.

True it is (q₃ I) if a man did speake it in place, where it shoulde do harme in dede and to that intent.

I do not meane so (q₃ the Doctor) but all to the best purpose. I take god to record, and to the kinges highnes most profit, honor, and safetie at lengthe: yet some percase will saye, that pertaynes not to me to studie

for. Yes I am a subiecte and owe hym not onely obeysaunce but also the obsequie I can other in dede or deuce : and therefore I will putte the case thus : Graunt the kinge sholde make proclamation, that after michaelmas next comminge there sholde be no more monye currant within this realme but onely after the olde rate, & that euery man sholde bring his newe coyne to the kinges mynt, and there to haue billett^e that for euery x of newe coyne brought in, the king to geue them betwene Michaelmas & Christmas next after, or such a tyme an aungell noble other in good golde, or in good siluer of the olde value, that is to say x grotes to the ounce of siluer, and six aungell^e to the ounce of golde : I aske what harme sholde come thereof ?

Mary (q, I) no harme at all, if it might be so brought to passe. But where shoulde the kinge haue treasure to do it withall ? His grace hath nother so moche in his owne treasure, nor yet percase all his subiectes, as wolde make coyne sufficient for the traffique of the whole realme.

I denye not (q, the doctor) but it wilbe a yere, ij or three er the realme be full furnished as it was before : and that the kinges highness shall haue some want of treasure for a time to do this withall, but the difficultie is not so great as it semes, and that that shoulde be all at the beginning, for firste the kinges maiestie shoulde haue some treasure tried out of this newe coyne, that shold be brought into the mint ; some olde coyne there is yet in the realme lefte which wolde come into the king for rent, if it were in his iust estate : some plate is also lefte that men wolde be gladde to bring in to coyne, if they might haue it agayne in pure siluer as they were wont to haue. And a prouision might be in the meane tyme made, that no woll cloth, or tinne or such comodities sholde be uttered forth of the realme, but it sholde be paid in good golde or siluer after the olde rate. And if his grace did provide that men might haue bullion coyned better chepe then euer they had it, or yet as good chepe, men wolde bringe in siluer apace to the minte.

This (q, I) wolde require a longe time or so moche siluer or golde were brought in or coyned as wolde serue for all the realme. Howe shoulde the people in the meane tyme vse their traffique hauinge not coyne inough therefore.

By exchange of thinges (q, he) partely, and partely by suche proportion of the corrected coyne, as went abroad till more were made.

Howe shoulde (q, I) the kinge and gentilmen be paid of their rentes the while ?

The kinges highnes (q, the Doctor) might be paid of his rent in his owne nowe currant, and those gentilmen in commodities growinge on their tenauntes landes, being esteemed at certaine prices in lew of their rent for the first halfe yere, and by the next halfe yere after there shoulde come ouer for our wolles, felles, tinne, lead, and other commodities as moche as wolde paye the kinge, and all other lordes their rent in good siluer and golde, for I thinke this that euery tenaunt rereth yerely of some commoditie or other asmoche as may pay the lordes rent. And the lordes agayne may spare as moche of the commodities which they receaue of their tenaunt^e as will suffice to paye the kynge maiestie his rent at the leaste. And if there were nothing els to make this matter with all : yet this thinge onely wolde in one whole yere bring in asmoche good coyne as

wold serue the necessary traffique of the realme, for there is no tenaunt can well spend more than he gettes, nor landelorde more than his yerely reuenues. And if one amonge many do excede, another will spare as moche as that comes to. And yf one yere do not furnishe the realme of sufficient coyne, another will, and the third will make us as rich as euer we were, for it is not inoughe for a prince or a realme to haue sufficient for one yere, and so liue as they saye from hand to mouthe as we do now, but to haue some store for sodeyne euentes either of warre, or of dearth, for if we shoulde haue warres as we haue had, and shoulde nede eyther artilarie municions, or other aid of straungers, it is not the coyne that we haue now could prouide us that. And so like wise if we shoulde haue greater scarcitie of corne within the realme that we should be driuen to fetche it from outwarde parties, it is not our mony that wolde purchas it. Than our commodities were not able in a notable scarcitie to counteraile it, sith now in plenteous yeres it doth bring in but scant inoughe of thinges necessary. Than if both warre and dearthe shoulde come together, as it hath or this, howe shoulde we do. Surely we shoulde be in a verye harde case, and moche in the daunger of straungers. Of thother side if there were some store of treasure in the realme, though there shoulde happen both warres and dearth, yet we were able to abide them for a yere, two, or three, for I had as lieue a thousand men had in dere yere a m^c pound amonge them in good coyne, as a thousand barnes full of corne worth a c. li. apece—for the mony wolde fetche as moche corne as all these barnes come to. And mony is as it were a store house of any commoditie. I wolde haue (as I haue sayd in our communication before noon) which maye longest be kepte without corruption & easiest caried to & fro for all exchaunges, and is moste vniuersally curraunt if it be golde or siluer. Neuerthelesse but for the cumbrance in cariage I had as lieue haue as moche brasse, tinne, or leade in value as the said mony shoulde come vnto, for they be as mete to abide the long kepinge and are vniuersally receyued in their value, but they are uery cumberous to carye. As if a man lacked a commoditie that were at London he himselve dwellinge at Barwicke, were it not a greate ease for hym if he had ware to exchaunge for the same which he might carry in his sleve the value of a c^{li} vpon a little nagge to London with small costes, rather than if he had ware to that value, which wolde require a carte or two to carye it thither?

Yes no doubt that (q^d I) but yet he shoulde be surest this waye, which ye speake last of from robbing.

That is true (q^d the Doctor) and surest of all, if he haue nother of both.

I haue harde (q^d I) diuers learned men of your sort er this exclame agaynst the firste inuenters of golde & siluer because they were occasion of moche murders, felonyes, and mischiefes, soo it is lucre that driues men to all kind of mischiefe.

I wote well they do (q^d the Doctor) as well agaynste the founders of golde & siluer, as also of iron and stele, because it is also the instrument of moche murder & slaughter amonge men. And so I wolde wishe neyther of both to be so it were vniuersally amonge all. But as if we sholde cast awaye our tooles & weapons, and not other nations that be about, we shoulde make ourselues naked of all defence, and be subiect to

their spoile: so if we alone shoulde cast away our golde and siluer, because of the harme y^t commes not of them, but of the euill vsinge of them, and other countrees shoulde retaine them still, we shoulde weken ourselues & strengthen them moche. Though it be commendable to some priuate man for contemplation sake to sette aside as moche as he maye all vse of monye: it is not necessarie for the common weale, that all men shoulde do so, no more then for all men to be uirgines, though priuately in some it is very commendable.

I haue harde (q. I) the princes er this haue coyned lether and made it currant in time of nede.

Ye may say so well (q. the Doctor) that it was a greate nede than and for a small time. And yet I neuer redde that more then one did so called friderike surnamed Aenobarbus one of the emperours of Almayne, which liued about the yere of our lorde 1193. He ones in his warres at a time of greate neede whan his mony was done, and his souldiors redie to depart from him, strake a coyne of lether, and fixed a naile of siluer in a pece with his marke, desiring his soldiors to take them for the time in lieu of goode coyne, promising after the warres finished he wolde restore them good currant mony for the same, as he did indede. By which meanes he reteyned his souldiors together and atchiued his enterprise. And toke in the lether coyne, and paid them good for it. And so princes kepinge their credit and promise may do wonderous thinges amonges their subiectes in tyme of nede, which if they do not shoulde bringe them to seke helpe at straungers handes to their greate losse, as experience hath declared not long ago.

But here to retorne where we lefte (q. I) if the king shoulde pay forth good aungell^e as ye speake for euery x. s. of this newe coyne brought into the mint, his graces reuenues for one whole yere wolde scant serue therto.

It were a yeres reuenues well bestowed to saue x^s (q. the doctor) and it were an honest purchas with one yeres rent, or twayne to purchas the grounde for euer. If the kinges maiestie shoulde paye his subiectes a good new aungell for the noble nowe currant, his grace shoulde do but as friderike did. And yet his grace had lenger the vse of his subiectes coyne, as reason (necessitie so requiryng) wolde, yet more than so by this ordinaunce his grace shoulde winne the thirde parte, whan for euery x^s his grace payeth forth but a noble.

Than (q. I) if men shoulde haue their coyne forged, or coyned for litle or nothing, but for the workemans labor, the kinge highnes which hath nowe great aduauntage by the coynage, shoulde be by your wayes a greate loser.

So (I doubt not) the coyners will beare the kinge and his counsaile in hande. But I wolde beleue them aswell herein as I wolde in that they promised before as well & failed that is howe they coulde make of brasse, siluer, & of siluer golde, which thinge howe well they haue brought to passe. I reporte me vnto you. More like a dreame, that chaunces contrary, for they haue turned the while our siluer to brasse, & our golde to I wote not what. And yet one way I must confesse they haue turned the brasse to siluer and siluer to golde, that is to themselueswarde but in the meane time they haue exhausted the princes cofers, and his treasure

house, which is the realme: as these Alcumistes were wont to do with priuate men, promysinge them to multiplie when of trouthe they did minishe, yet they will beare them in hand they do still multiplie. And so they do in number, but minishe the value twise as moche agayne, for instede of one pece they geue forth twayne, but so as that one was worthe three of the sorte they putt forth. And though they porswade the prince that the gaynes of all that comes to his graces, yet the moste gaynes cleaueth by their owne fingers. And why? Because the proporcion of these confused metalle is so vncertayne to be knowne by the assaye, as the kinges officers cannot euenly charge them to kepe a certayne standerde, and if they did, it weare not so moche to the kinges profite, as it beareth the face: but moste of the clere gaynes comes to them as it was wont to come to Alcumistes, and multipliers. And that appereth well by suche as haue this feate in hand, or haue had, howe they wexte so sodaynly riche, as though they had founde Giges ringe, as the sayng is. And this specially appeared by one honest man [called Knight],³⁵ which I knewe had an office awhile about the mynt, and continued there, as I heard say, but about two or three yeres, and then fell sicke and died, but on his death bedde, as he was a uery honest man of a good constancye, perceauinge that he had gotten in the office moche more than his fee, bequethed to the king (as I herde saye credibly) about two m³⁶ marks in satisfaction of his vnlaful gaynes had from the kinge, more like as men were wonte to geue to their parishe churches for their tithes forgotten. Then if such an honest man coulede gette thus moche in suche a shorte tyme, what may another do that hath no consciens in gettinge of his goodes. But to answeere your obiection the kinge gettes not so moche by his coynage, as he loseth in his yerely revenues, customes, subsidies, fynes, and such other profittes, when the same coyne reuerted to his graces cofers agayne.

Well (q. I) if ye had your device that all men after Michalemas next should be bounde to paye all duties after the olde coyne in pure golde or siluer, then I put this cese; that sins the receuinge of this coyne a man had taken landes at x^{li} a yere, which before thenhaunsinge of the coyne was worth but twenty nobles a yere, no more than it should be nowe if the coyne were reformed to tholde rate, howe shoulde he and suche other do (which be a greate multitude in the hole realme) They were like to be vndone, if they should be forced to paye their x^{li} a yere after the rate of tholde coyne.

That is well remembered of you (q. maister Doctor) Many shoulde incurre greate inconuenience, if that case were not provided for. Albeit it were not so uniuersall hurte to lette a fewe paye so in that case, as it was to all landelordes generally throughe the realme to be paid their rent after the rate of the coyne that is nowe. Neuerthelesse this wolde be provided for, seing it may easily be done, as thus all men, that take any landes or possessions to ferme sins thenhaunsinge of the coyne, to paye for euery x^s he shoulde paye from Michaelmas forwarde an aungell of the corrected coyne of the value of the olde aungell, and so tenaunt nor lord shoulde be greued, nor bargaynes altered.

Than I put you this case (q. I). If a man were bound nowe to paye

c^{li} to an other after Michaelmas nexte cominge he muste paye it than in the coyne that shoulde be then currant which shoulde be more in value by an hundred nobles, than the c^{li} was at the time of the entrie of the said obligation, and than he shoulde be a greater loser, which were no reason, seing he ment to paie but after the coyne newe corrected. Howe shoulde suche do agayne.

Euen a like prouision wolde be made (q, the doctor) as in thother case afore. That such debtors shoulde paye for euery x s he did owe by any bond entred syns thenhaunsment of the coyne an aungell noble. And so the hundred poundes that he shoulde pay by force of the said obligation to be discharged by paiement of C markes in this corrected coyne, & so nother partie greued.

Howe shoulde men (q, I) that toke landes to farme, or entred into bandes of debte before thenhaunsinge of the coyne do ?

[Doctor] As for suche landes as were sette out afore this enhaunsinge or altering of the coyne & so of debtes knowleged, no man ought to be greued to pay after tholde rate, for it was no otherwise ment at the time of the bargaynes made yet this prouision was not taken whan the coyne was altered first, which made all noble men and gentilmen to smarte. And so percase diuers other cases like these may occurre upon this alteration or rather restitution of thinge for in making any newe ordinaunce it were harde to make it so perfecte, as hit shoulde hinder no particular person, for that were impossible. It is inoughe if it be so made (as the politique Senator Tully sayeth) that it maye be profitable to the most number, and do hurt but to the fewest. But suche cases wolde be prouided for as they do appeare. And thus haue I tolde you my simple opinion, howe I thinke this vniuersall dearth may be easiely remedied which is caused by ourselues and not by the sending of god, for whan god is disposed to send derthe of any thinge as of corn cattell or any other victuall, there is nothing can helpe that deuised by man, but onely prayer and amendement of life, for whose punishment he sendeth the same.

In this we again have allusion to the proclamation of April 1549 concerning the picking out of the gold, and no reference seems to be made to the coinage of 1551, and the mention of plenteous years and the necessity of importing corn should a scarcity arise appears to justify the conclusion that this passage was written before 1550. The conduct of the officer of the mint who made satisfaction for his 'vnlaful gaynes' brings Sharrington to our minds, but the restitution in this case was, at least according to the doctor, purely voluntary. The officer's name is not given in the Bodleian manuscript, but Lambarde's copy adds that he was 'called Knight.' This, however, may be a conjecture. There was a William Knight, assay master of the mints at the Tower and in Southwark in the reign of Edward VI; but, as he held that post in the thirty-sixth year of Henry VIII,³⁷ and also in the second year of Philip and Mary,³⁸ he was in office more than two or three years; a Thomas Knight³⁹ was treasurer of the mint in the thirty-sixth

³⁷ Ruding, i. 35.

³⁸ *Ib.* p. 329.

³⁹ *Ib.* p. 35.

year of Henry VIII, but the identification must remain unsettled until fuller information can be obtained.

On the third and fourth grounds of complaint the manuscripts give us no further information, but in the discussion of the fifth point, divisions and diversity of opinions on religion, they have a passage which was later omitted. This occurs in the doctor's second speech on the subject.

What credite [he asks] will any man geiue to our doctrine, whom they see so light in lyuing? what reuerence will they geiue our personnes, in whose manners they see no grauity? ⁴⁰

and goes on—

Hetherto I haue spoken out of the abuse of our liuings that was due to us by lawes: nowe lett us touch somewhat of the lucre, we deuise to ourselues beside the lawes: whiche while we to moche inuented as vndue to us we loste moche of that was due to us, was there any sacrament so holy, or so freely instituted of god, but we deuise a waye to gette some lucre by the same yet Christe bad us geue freely, that we receaued freely. As of the moste blessed sacrament of the bodye & blood of Christe, haue we not made a sale of the administration thereof, & sold masses some by tale, & some by grosse as trentalle which thing hath brought this holy mistery in a wonderfull contempte throughe our abusinge of the same. Is there any matrimonye knitte, but some fees must come to us therefore? No, not christeninge, but there is somewhat deuysed to growe vnto us thereby. Confession was also by a meane a greate instrument to bringe in profit to us, when in penance we enioyned men to geue some what ouer to our churches other for this or for that thinge. Also I think there is no decres of orders geuen, but some fees muste come therefore to our chancelors & their clerks. Than howe diriges and prayers were solde, it is not to be dissimuled, but that he that gaue moste money therefore had moste sayde thereof, yet if prayers had ensued the almes as voluntarye, and vnprescribed, I thinke the same had not done amisse: but limited as a daye hyre, I think they couelde not be so vayleable, for that they proceded not of deuotion, but for the lucre, and were not esteemed after the worthynes of the doinge therof, so mochee as by the number & quantites of the same. But that I referre to be esteemed of the Diuines. I discommend nothing but the sale of these holy thinges, which I cannot in any wise alowe: no not so moche as any semblaunce thereof, that might bringe the people in any suspicion of the same. And therefore the gatheringe that is at goddes borde at Easter, albeit it be for the iiij offeringe dayes, for breade & wyne I wolde wish y^t collection to be forborne at that tyme, thoughe the parsons, vicars, or proctors shoulde lose some profit thereby. Better it is a small losse of monye, then of one soule that might be offended therewith, which wolde percase thinke that he couelde not haue the communion excepte he had payde for it, we heare what these poore folke do saye, when they begge for monye to bring them home from goddes table. This among other thinges of greater weyght was complayned of er this for reformation,

and yet nothing amended: by reason whereof ensued greater inconueniences. And we passe ouer all these matters with deafe eares, as though they touched us nothinge. And if we do not reforme these thinge that be notorious to all, & manifestly contrary to our canons & laws, as for residentes, singularitie of benefices, the right ministration of the sacramentes, howe can there be any hope, that we will reforme these thinges that are secrete betwene us & god.

By 'thinges complayned of er this for reformation' the doctor may refer to the 'Supplication of the Poore Commons,' some parts of which bear a strong resemblance to the passage just quoted. Thus, in the Supplication—

'We see daylye so great increase of theyre vnsatiable desire, that we fear lest in process of time they wil make us all begge & brynge to them all that we can gette. It is no rare thinge to se the poore impotent creatures begge at Easter to pay for the Sacrament when they receaue it. And it is no lesse commune to see men begge for such dead corpses as haue nothinge to paye the pristis duitie . . . Theyr coeutouse is growne into this prouerbe, 'No peny, no pater noster.' For they wyl not do that thyng whych euery Christian is bounde to do for other, onles they may be waged for money: they wedde & bury, & synge ful mery, but all for money. If your Highness would call acompt of them & cause them to shoue the bokes of the names of them that haue ben buryed and maried with in thys yeaere, conferringe that numbre wyth the summe of money they take for euery such burial & mariage you should easily perseauue how lytle neede they haue to oppresse vs with double & triple tenths.

The supplication was made in 1546. In Edward's reign the same complaints could still be made; in the articles of visitation which enforced the use of the First Prayer Book of Edward VI the third item enjoined the clergy not to buy or sell the holy communion, as in trentals and such other,⁴¹ and the bishop of London issued a similar injunction in 1550.⁴²

The other parts of the doctor's discourse on the state of the church are all also peculiarly applicable to the reign of Edward VI, when the restraint of pluralities, the enforcement of residence, the better examination of candidates for holy orders, and the restoration of diocesan synods were objects aimed at in various schemes for the reformation of the church.

Another evil of the times touched on by the doctor was the neglect of learning and the decay of the universities.⁴³ That this evil existed in Edward VI's time we have good evidence; it was mentioned in sermons by Latimer, Lever, and Gilpin, and indeed was serious if, as according to Latimer, there were 20,000 students less at the universities than there had been in the twenty previous years.

Such is the evidence of the manuscripts on the date of the

⁴¹ Wilkins *Concilia*, iv. 32.

⁴² Burnet, v. 309.

⁴³ Pp. 20, 27.

treatise. There seems no reason to doubt that it was written in the reign of Edward VI; not before 1549, when the disturbances connected with inclosures occurred, while the way in which these disturbances are referred to, the mention of the subsidy on cloth, the proclamation against plays, and other apparent allusions to the state of affairs in 1549 seem to justify the conclusion that it was written in the autumn of that year.

On the point of authorship we also gain something from the manuscripts. The writer does not give his name, but in the preface he tells us that although he is 'not of the Kinges Councelle,' yet he is 'called to be a member of the Comen Howse.'⁴⁴ This is all we can be sure of, but a careful perusal of the preface seems to give fair ground for the supposition that the writer is presenting himself to his readers in the character of the knight. Of the knight we have some personal particulars. He possessed lands that had belonged to religious houses; ⁴⁵ he was a justice of the peace and concerned in the commission on inclosures,⁴⁶ and he was, or at least had been, a member of parliament.⁴⁷ From this scant information alone it would be impossible to arrive at any conclusion as to the author, but it is of great interest when we come to consider the claims of the two possible authors mentioned by Lambarde.

Lambarde's note was evidently written when the treatise appeared in print; he tells us that then it was looked on as the work either of Sir Thomas Smith or some other person. Unfortunately Lambarde's handwriting leaves us in some uncertainty as to the surname of this person. Nichols⁴⁸ read it as Yates, but the last four letters are undoubtedly *ales*. The capital letter is badly written; it resembles an H, but Lambarde uses another form of that letter immediately below; yet no other letter prefixed to that part of the name which we can read produces a more likely person as the writer of the treatise than John *Hales*.

Sir Thomas Smith had written on the coinage, but up to 1547 his life had been passed chiefly at Cambridge, where he had held several university appointments.⁴⁹ In 1547 he was made a secretary of state, and held the office till 12 Oct. 1549, when he was expelled.⁵⁰ He had not been a member of parliament, and was one of the privy council at the time when the treatise was probably written. While employed by the government he had taken an active part in work connected with the reformation of religion, but we do not find his name associated with any remedies to remove the social evils of the day.

It was otherwise with John Hales. He was member for Preston in 1548, and in that year brought in three bills for the relief of the

⁴⁴ See above.

⁴⁵ P. 33.

⁴⁶ P. 14.

⁴⁷ Pp. 41, 53, 83.

⁴⁸ *Op. cit.*

⁴⁹ See his life by Strype.

⁵⁰ *Fraude*, v. 107.

poorer inhabitants of the country. The first was for the rebuilding of decayed houses and the maintenance of tillage, the second against regrating and forcing the markets, the third to encourage the rearing of cattle. These bills were the subject of much discussion, but none of them were passed.⁵¹ To two of these bills the knight in the dialogue would seem to refer.

I pray you shewe me the remedies of these great Inclosures, whereof al the realme complaineth of so much, & hath complained long vpon. For you haue well perswaded how it is a meane of greate desolation of this realme, & that is longe of the great profit that men haue by pasture, ouer that they haue by tillage, that they turne so much to pasture. Now I woulde fayne heare how it might bee remedied againe; for I haue hearde this matter of long time, & often reasoned vpon aswell in Parliament as in Counsayles & yet small remedy found therefore that tooke effect.⁵²

In the same year Hales was appointed one of the commissioners on inclosures, and entered with great zeal into the discharge of the duty that thus devolved on him, and it was his custom on opening a session to read a charge to the people to explain the object of the commission. The charge does not seem to have been printed at the time, but it has been preserved,⁵³ and it is interesting to note how close a resemblance some passages in the treatise bear to some parts of the charge. One of these resemblances is seen in the quotations already given touching the plenty and the dearth which prevailed at the time of the commission. Again, we find that Hales did not condemn all inclosures. 'First, to declare unto you what is meant by this word inclosures. It is not taken where a man doth enclose & hedge in his own proper ground, where no man hath commons. For such inclosure is very beneficial to the commonwealth.'⁵⁴ The good side of inclosures is discussed by the doctor and the knight in the first dialogue.

Experience quoth I [the knight] should seeme to proue playnely, that Inclosures should bee profitable & not hurtfull to the common weale; for we see the cuntryes where most Inclosers be, are most wealthy, as Essex, Kent, Devonshire & such other. . . .

I meane not of all Inclosures, nor yet all commins sayd the Doctor, but onely of such Inclosures as turneth common erable fields into pasture, & violent Inclosures of commins without iust recompence of them that haue right to commen therein; for if lande were seuerally enclosed, to the intent to continewe husbandry thereon, & euery man that hath right to commen had for his portion a piece of the same to himselfe inclosed, I thinke, no harme, but rather good, should come there of, if euery man did agree thereto.⁵⁵

This discussion extends to the relation between private profit and public good, and here we have another resemblance to the

⁵¹ Strype, *Eccles. Mem.* II. ii. 210.

⁵² P. 83.

⁵³ See above, p. 289.

⁵⁴ Strype, *op. cit.* p. 361.

⁵⁵ P. 40.

charge in which Hales so strongly condemns 'private profit' as the 'most hurtful disease of the commonwealth,' and exhorts the people 'to haue this godly opinion,' 'that nothing can be profitable that is not godly and honest; nor nothing godly and honest, whereby our neighbours & Christien brethren, or the commonwealth of our country hurted or harmed.'⁵⁶

Such resemblances may of course be mere coincidence, but some other statements in the treatise, if we may take them as facts, strengthen the claim of Hales as its author. There is reason to identify the scene of the dialogues with a city with which he was intimately connected, as the local allusions appear to point to Coventry. The city was visited by the inclosures commissioners,⁵⁷ and is thus described by the capper: 'This citey which was heretofore well inhabited & wealthy (as ye know every one of you) is now for lacke of occupiers fallen to great poverty & desolation;'⁵⁸ and his statement is confirmed by the merchant.⁵⁹ The circuit of the inclosures commissioners embraced only the counties of Oxfordshire, Berkshire, Warwickshire, Leicestershire, Bedfordshire, Buckinghamshire, and Northamptonshire. The cities in these counties are Oxford, Coventry, and Peterborough. Oxford and Peterborough were not centres of industry in the Tudor period, nor do we find them mentioned in any of the statutes of Henry VIII's reign for the re-edifying of decayed towns. This was not the case with Coventry; several woollen industries were established there, and until the Reformation it was a prosperous and flourishing city. The destruction of its monastery and other religious houses wrought a change which has been graphically described by Dugdale.⁶⁰ 'To so low an ebbe did their trading soon after grow, for want of such course of people that numerously resorted thither before that fatal dissolution, that many thousands of the Inhabitants, to seek better lively hoods, were constrained to forsake the city: insomuch, as in 3. Ed. 6. it was represented unto the Duke of Somerset, then Protector, by John Hales, a person of great note in those daies & whose memory is still famous here: that there were not at that time above 3000 Inhabitants, whereas within memory there had been 15,000.'⁶¹ This passage also shows us Hales's connexion with Coventry: he had acquired the lands and possessions of St. John's Hospital and the house of the White Friars, both in the city,⁶² and after the acquisition made the place his home.

One other speech in the dialogue seems to refer to Coventry.

It is true quoth the Marchaunt, yee knowe likewise what other notable acts men of myne occupation haue done in this City. Before this,

⁵⁶ Strype, *op. cit.* p. 354.

⁵⁷ P. 14.

⁵⁸ P. 16.

⁵⁹ P. 18.

⁶⁰ *Warwickshire*, i. 146.

⁶¹ The decay of Coventry is also mentioned in the treatise, p. 89.

⁶² Dugdale, *Warwickshire*, i. 180.

ye knowe the hospitall at the townes ende, wherein the freemen decaied are releued, how it was founded, not very long agoe, by one of our occupation, and the Customs of this citey how it was redemyde by my father in law, supposing therby that the city should be much releued, which then was in some decay & yet it decayeth still euery day more & more.⁶³

The hospital here mentioned may well be Ford's Hospital in Coventry, which with its beautifully carved timber gables still remains a testimony to the bounty of its founder, William Fourd, merchant of the staple, who built it to provide for the relief of five men and one woman, who had fivepence a week given them for their maintenance.⁶⁴ It was built near the house of the Grey Friars, and so was at the 'townes end,' according to the boundaries of Coventry in those days.

These apparent allusions to Coventry give some ground for the supposition that Hales wrote the treatise. If he was the author, the delay in publishing is easily accounted for. The action of Hales in the inclosures commission was by no means universally approved of, and anything he had to say on the subject was not likely to meet with favour. On Mary's accession he left the country, and did not return till the following reign, and then he soon incurred the royal displeasure by publishing a tract on the succession, an offence for which he was imprisoned for a time.⁶⁵

The subject of publication is surrounded by much obscurity, and the consideration of it gives rise to many questions. The printed edition of 1581, as has been pointed out, differs from the manuscripts, chiefly in the omission of allusions which were obviously to abuses no longer existing and in the substitution of phrases referring to Elizabeth for those only applicable to a king. The only addition to the text is a passage in the third dialogue, in which the doctor gives two causes for the dearth—'racked rentes,' and 'plenty of treasure,' owing to the importation of gold and silver from the New World.⁶⁶ The greater part of the treatise as it appeared in its altered form was substantially what had been written some thirty years previously, but while it is possible that it was applicable to the reign of Elizabeth, yet its value as an account of England at that time would chiefly depend on the discrimination and position of the person who made the alterations. Supposing John Hales to have been the author, it is still possible that the alterations may have been made by him; he may have noted the effect of the increased supply of the precious metals and have introduced the passage about it, and taken out all allusions which were not appropriate to the times. He could not, however, have seen the publica-

⁶³ P. 18.

⁶⁴ Dugdale, *Warwickshire*, i. 184.

⁶⁵ For an account of his life see the *Dictionary of National Biography*, xxiv. 29, 30.

⁶⁶ P. 81.

tion of the treatise, as he died in 1572. At the same time it is clear that the alterations were not made with care, nor in a way we should expect from the author. We cannot here compare what was left with other accounts which we have of the time, but one point may be noted on which some passages remain which were not altogether true in Elizabeth's reign, and it seems improbable that the writer of them should have left them in. These are the passages complaining of the disregard of learning and the decay of the universities.⁶⁷ These complaints were true both with regard to Oxford and Cambridge in the reign of Edward VI; but learning prospered under Elizabeth, and from the time of her accession there had been a steady increase in the number of students at Cambridge.⁶⁸

To the edition of 1581 was prefixed the dedication to Queen Elizabeth, which is not found in the manuscripts. It throws no light on the subject of publication, and as far as internal evidence goes contains nothing that might not have been written by the author, and it may be noted that the 'undutifull misdemeanour' alluded to in it may well apply to Hales. The strange fact that Lambarde had a copy of the treatise made, and yet did not know who the author was, shows that it was in some circulation in manuscript. Some other copy may have found its way to the hands of W. S., whose initials are appended to the dedication in the edition of 1581. Various conjectures have been made as to his identity, but none of them have proved it. Whoever he was, he may have issued the treatise as already revised by Hales, and, without absolutely claiming it as his own, have allowed it to appear with his initials attached; but the more natural supposition seems to be that he by some means or other had come into possession of a copy of the treatise in its original form and altered it, but not with such care that his edition, now that we know more of the original form of the work, can be regarded as good authority for a description of 'the condition of England in Shakespeare's youth.'

ELIZABETH LAMOND.

⁶⁷ Pp. 20, 27.

⁶⁸ Mullinger, *The University of Cambridge*, i. 214.

The Political Ideal of the English Commonwealth

HALF a century has passed since Carlyle declared that puritanism was the last of our English heroisms. It is only at a time when the mind of a people is strung to higher tension by civil and social difficulties, so great as to threaten destruction, that isolated spirits among its individuals search more intently into the promise which the present contains, and consolidate their faith in that promise into an ideal. Then, however, thought can outstrip mechanical processes and leap to an invention. The normal activity of social thought is quickened to a degree that frequently renders a clear judgment of the contents of the present equivalent to a prophetic forecast of the capacity of the future. If, in spite of this, progress moves slowly in sinuous courses, we have to bear in mind that every age, like every individual, while superior to its worst elements is inferior to its best. The aggregate of the practical forces which carry on the progressive movement is inferior to that right 'vision of the world' which implies a more profound insight into the accomplished present. The age, therefore, continues its own doubling, twining, and frequently retrograde motion, until finally, after a long interval, its serpentine movement in the 'upward trend of progress' brings it round into close proximity to a previous point of departure. At this hour we are close to the ideals of two centuries and a half ago.

All the different phases of the progressive movement of to-day are illustrated in the puritan revolution, from the most severely practical to the most nebulously ideal, from the party whose notion was to prohibit all reform and to rivet the political machinery together as it stood to those who, seeing that collapse of the old machinery was inevitable, sought, like the pioneers of the French revolution, to invent and establish a new ideal of government in a sense complete in all its working details. There was, moreover, an ideal present in the political atmosphere of the time, and alike those who favoured the king's cause and those who opposed him were affected by its inspiring influence. It is not my purpose to trace the practical history of this revolution, but in developing its literary aspects we shall find that even under the king's cause there lay a

philosophy, while the facts of history show us that the opposite ideal was only baffled and rendered impotent by the force and tendency of the practical aggregate. Massing together all the forces on the side of the Commonwealth, we find that they were bound together, however much they varied among themselves, by a sincere determination to found a free English commonwealth. Opposed to this republican ideal there was the converse ideal of the times, that associated with the monarchy which was just passing away. The former was the ideal of liberty, at once represented and perverted by Cromwell; the latter the ideal of strength, at once represented and perverted by Wentworth. In addition to these there was the *via media* of the constitutional party, whose practical view was simply to remedy abuses, limit prerogative, and render law supreme; and there was the further complication of the religious ideal of the ironsides and the saints, to whose blazing imaginations all law and statecraft were, as they were in great measure to Carlyle, 'mere leaden constitutionalities.' We have, therefore, (1) strength, represented (a) practically by the king's government, (b) theoretically by Hobbes and Filmer; (2) liberty, represented (a) practically by Eliot and the Hampden brotherhood, (b) theoretically by Sidney and Harrington. The religious ideal was represented on the one side by Laud and the High Commission, on the other by the New Model and the Westminster Assembly. Milton and Cromwell must still remain as individuals.

We begin, then, with the party of constitutional resistance to the king, which concentrates itself in the Petition of Right. The aims and ideas of men like Coke, Selden, and Eliot were clearly defined, and were simply directed to devising effectual restraints upon the crown, so that the government might go on as a limited monarchy upon the old basis of the constitutional liberties of the subject. They presented nothing high-flown or theoretical, and later on the action of the same party in the civil war indicates their unwillingness to proceed far. Falkland even abandoned the parliamentary side and joined the king's cause. That which they opposed, however, speedily developed itself into an active force which demanded stronger nerve than that of constitutional resistance. The action of the petition-of-right men proceeded entirely by raising definite issues of parliamentary rights and privileges; that of the king's men rose to sweeping general principles of the paramount rights of the crown. The former appealed to some old violated statute; the latter answered in the words of Justice Berkeley that *rex is lex*. The manner in which the conflict worked itself out to the dissolution of the monarchy belongs to civil and constitutional history, but we must here remark the difference of ground upon which the king's men took their stand. Their appeal was no longer to law or legal right. It had risen

beyond these to a justification founded on the intrinsic authority of kingship and the divine right of kings. Charles had inherited notions of absolute right from his father, and his advisers, who sedulously fostered these notions, even proclaimed from the bench their justification of the king's most illegal acts by an appeal to natural right. Here we reach a basis of theory, and are very near to the arguments of a philosophy. When the attorney-general Banks declared at Hampden's trial that absolute power lay in the persons of the kings of England, he added the philosophic maxim that 'all magistracy it is of nature, and obedience and subjection it is of nature,' thus leading us to the very porch of the 'De Cive,' 'De Corpore Politico,' and 'Leviathan' of Hobbes.

The mischievous perversion which government had now become makes it ridiculous to speak of Charles I's monarchy as in any sense the embodiment of an ideal; but when we turn to Hobbes we discover that something like an ideal had sprung out of reverence for a strong monarchy as well as from visions of liberty under a free commonwealth. And if Hobbes's philosophy rises beyond the wretched tyranny of the second Stuart we shall find a still stronger antagonism between the perverted Commonwealth of Cromwell and the republican ideal of men like Harrington. The movement towards a republic was partly a reaction against the absolute government of Charles I. Hobbes, coming between the overthrow of this absolutism and its partial reinstatement in the person of Charles II upon the ruins of the puritan ideal, represents the reaction against that anarchy which Cromwell only succeeded in holding down with an armed heel. In this sense he belongs logically to the Restoration period, chronologically to the Commonwealth. But his work, beginning with the treatise 'De Cive' in 1642, and virtually finished with the 'Leviathan' in 1651, was a philosophical protest against the whole puritan movement, in psychology and religion as well as in politics, and as such a protest it must be understood.

His politics are of a piece with his philosophy. Basing his argument on the social contract theory, he drew a different conclusion from that of Rousseau. Men, he says, in their natural state are equal and free, but they are savages; 'man is to man a wolf.' They are inclined to peace from three motives—(1) the fear of death, (2) the desire of such things as are necessary to commodious living, and (3) the hope of obtaining these by industry. They accordingly combine to live peaceably among themselves and be protected among other men. Here begins the state, when society by compact appoints one man, or several, to rule. This governing body is the sovereign, and according to Hobbes the true sovereign is the monarch. By this social compact men have thus alienated their natural rights, which only led to a state of war, and have constituted

over themselves for their own benefit a power which the requirements of peace and prosperity render essential and henceforth absolute. Having formed this contract, men cannot lawfully make a new covenant among themselves without the sovereign's permission; a new covenant, even with God, is illegal except through him. Every subject, moreover, becomes henceforth part author of all the actions and judgments of the sovereign, because either the minority must coincide with the majority, and so become responsible for the compact, or if any man protest he is left in the condition of war he was in before, and so may without injustice be destroyed. Hence the king can do no wrong, because all personal responsibility is removed from him by the social contract, and every particular man is author of all the sovereign does. All authority too is centred in him. There can be no such division of power as that supposed to exist between king, lords, and commons, else the state becomes a house divided against itself. *Vox populi* is there not merely *vox Dei*, but becomes the guarantee of the sovereign's divine right; while the sovereign, being *in facto* the embodiment of all the people, is the true and only representative of God's person. He is henceforth absolute. He cannot be censured without injustice. They that are subjects to a monarch cannot without his leave cast off monarchy. He is at once judge and lawgiver, dictator and pope, and must be obeyed in all his commands, though his commands were that his people should curse God and die.

In the tone of one thus arguing for an absolute monarchy we seem to hear something of the world-weariness of one crying out in time of trouble, that breaks forth so painfully in Dante's 'De Monarchia.' In Dante, as in Hobbes, we trace the ruin of principalities; we have the same longing for peace, born of the same weariness of strife and willing to purchase rest at the same cost. But the difference is great. When Dante looks back to the Roman empire and laments how 'that seamless robe suffered rending by the talons of ambition,' how, like a beast of many heads, she strives after contrary things, and how unanswerable reasons, and the very light of experience, and even the sweetness of divine persuasion can neither heal, nor convince, nor charm, he utters, it is true, merely a distressed cry for peace. But with Dante there is more than the cry of the pained creature for rest. Hobbes can hardly be said to have more than low utilitarian ends in view in his theory of absolute monarchy; Dante's temporal monarchy is a means to secure that peace which shall enable man to fulfil the chief end of his being. Man's chief end, according to Dante's philosophy, is not mere existence under any conditions, as it might be according to that of Hobbes. It is the development of his spirit. It is 'to set in action the whole capacity of that understanding which is capable of development, first in the way of speculation and then by its

extension in the way of action.' So regarded, according to that word, 'Thou hast made him a little lower than the angels,' the proper work of humanity becomes almost divine, and peace is in Dante's vision, as it was in the hymn that sounded to the shepherds of Bethlehem, associated with glory to God in the highest.

The difference between the monarchy of Hobbes and that of Dante is, in a word, the difference between a theory and an ideal, between a philosopher's scheme and a poet's creation. Dante's logic is as close and keen as that of Hobbes; he has all the pedantic formalism of a schoolman; his treatise is externally more a monument of dialectic than of imagination. But at the same time it is suffused with the light that shines through the '*Divina Commedia*,' and is invested with something of the glory that illuminates the unbinding of Prometheus. Obedience to Dante's monarch becomes obedience to the power in whose service is perfect freedom. If his ideal leads to servitude, it is from the perverting influence of attendant circumstances, whereas servitude is in the very nature of Hobbes's political creed. Dante, with a poetic frenzy repeated in a later age by Victor Hugo, could embrace all men and nations in the union that was to realise his dream of a temporal monarchy. Living before the new heavens and the new earth were discovered, he could unite all men in one brotherhood for the fulfilment of their spiritual existence under a monarch who was at once the servant of all his people and the representative of God. Hobbes on the contrary was unable to rise beyond the divine right claimed by the heirs of the Tudors. But had Dante seen the full flush of the European springtime of which the Florentine magnificence was only a mild February morning of a day that closed in tears and frost, had he felt the quickening breath of the Renaissance and the strong sea breeze that blew across the Atlantic of Columbus, he might, instead of casting an idealising, regretful look backwards to Roman imperialism, have seen the dawn of new hopes and possibilities as they appeared to the author of the '*Utopia*,' and might have joined hands with him who had travelled to unknown shores with Hythlodæe.

In the revolution which was in progress during the reign of Charles I the driving-wheel of the political machinery was trashed, and in the collapse which ensued political speculators were thrown back beyond the mere question of mending to an examination of the very fundamentals of government. Finding that the moral forces which give solidity to a government were altogether loosened and set at variance, men sought for those first principles of which complex governments are but an embodied development, those simple natural laws which furnish government with its guarantee. This is what constitutes the simplicity of Hobbes's political philosophy. In no sense a political reformer, he only worked back to what he considered the fundamentals of human society. Hence

his work is simple and clear, because his political theory is one based on a few simple and clear ideas. But his philosophy contains no practical statesmanship and offers no remedy for evils. The same simplicity of foundation was sought by Filmer in his 'Patriarcha,' and the same conclusion reached. The 'Patriarcha' founds the king's right to absolute power on the patriarchal basis of society. Adam as father of the human race got supreme rights from God, and kings inherit those supreme rights from Adam. The book furnished occasion for Algernon Sidney's 'Discourse on Government.' Written as a refutation of the patriarchal theory of government, Sidney's work illustrates the tendency of other speculators of this time to argue from the most elementary first principles, and seek a solution from these. But Sidney's solution was the opposite to that arrived at by Hobbes and Filmer. That the sovereign exists for the people and not the people for the sovereign, that a general presumption that sovereigns will govern well is not a sufficient security for the nation—these and similar propositions which he insists upon vehemently and at length through a large folio have for us passed outside the range of political discussion. With America and France before us we are perhaps too much concerned with the pitfalls of republicanism: Sidney focuses his argument against the claims of monarchy. But when he wrote, dynastic ideas predominated. These had first to be overcome before the people could establish its own freedom, and it is these which the 'Discourse on Government' aims at controverting. The revolution of 1640 and the succeeding years had indeed overthrown the dynasty, but the dynastic ideas still prevailed. The revolution had brought 'that man of blood Charles Stuart' to his account; but it had also in his place established Spenser's blatant beast, upon whose head there were already proposals to fix the crown Charles had forfeited. At the same time Sidney is not merely negative. One at least of the principles which he maintains is not quite rudimentary nor too familiar, viz. the people's right of rebellion. Submission to the powers that be, simply because they are powers, finds no place with Sidney. All power must proceed from the people, and when governors have forfeited the sympathy on which alone their power must finally rest, the people have a right to withdraw the power they have bestowed. Even with regard to individual rulers Sidney maintains that it is not well they should be glorious or powerful or rich in their own person; else the seeds will be sown of a popular decay. This last republican idea has grown into a multitude of ramifications since the date of the English Commonwealth, most notably in the French Commune, but Sidney's assertion of it is a peculiar exemplification of that spirit of liberty—*περὶ παντὸς τὴν ἐλευθερίαν*, as Selden had it for his motto—which had flashed through England like forked lightning through the storm-cloud.

Sidney, however, is more remarkable as a man than as a writer. His principles were written in his life and sealed with his death. His only writing, the 'Discourse on Government,' was not published till 1698, fifteen years after its author's execution, but the deed that is done is frequently more potent than the word that is spoken, and in literary estimates critics are too apt to undervalue or overlook the operative influence of the acted life. That enthusiasm for republican ideas which finally brought him to the block made Sidney from the first a consistent adversary to Cromwell's protectorate. When Worcester had been fought and the shadow of the sword fell upon every corner of England, Sidney felt that he could do nothing. Approver and defender as he was of the execution of Charles, and capable of signing his name when envoy at a foreign court with the appended quotation—

*Manus haec inimica tyrannis
Ense petit placidam sub libertate quietem—*

he had only scorn for the principles that found vent in such pamphlets as 'Killing no Murder.' Retiring to Penshurst, he wrote the manuscript afterwards produced against him at his trial. Still hopeful, as we shall find Harrington was, and to a certain extent also Milton, that England was capable of better things than Cromwell had given her, he emerged from his retirement on the abdication of Cromwell's son and became a member of the council of state that was to settle the future government. He was appointed ambassador to Denmark to negotiate peace, and during his absence the Restoration was quietly accomplished. Too proud and uncompromising to profit from royal hands by an amnesty for principles which required no pardon, he refused even to own himself the subject of Charles II, and remained an exile for seventeen years. He returned only at his father's dying request, still a republican, and entered parliament to direct his invective against the ministerial party. The issue we know. His story leads us to one of the brightest and one of the most odious records of the revolution period, the martyr's crown that encircles the brow of Sidney and the martyr's blood that reddens the hand of Jeffreys.

To the same effect and practically in the same language as Sidney, Milton had already expressed himself in his first political pamphlet, 'The Tenure of Kings and Magistrates.' Written some time before Sidney's work, and published immediately, it was the first free and unqualified defence of the action taken by the army in executing Charles. It is a landmark of the immense advance opinion had made since the conflict began with parliamentary debates upon monopolies and ship-money. The flames of the civil war had reduced everything to a state of semi-fluidity. Cromwell and his independents had come to the front breathing fire, and all

the old outlines had melted away. A strong republican party was now in power, but it was a party regulated by none of the restraints of constitutional forms and directed by no political wisdom. The king had fallen into the hands of men to whom his divine right was no more than sounding brass, and he himself appeared only as a 'tyrant, traitor, murderer, and enemy of his country.' The people at large would still have fondly distinguished between Charles and the king, and would have revered the office while they denounced the man. But the army was of a different temper, and with them the issue rested. The execution of the king, while it effectually laid open the road for the establishment of a commonwealth, produced only the most disastrous results to the cause of liberty. It gained nothing and it alienated much. But it had the effect of reducing the leaders of the Commonwealth party to their ultimatum. They had finally said in a deed more eloquent than words: 'This is what we mean.'

They had their champion ready in Milton. 'The Tenure of Kings and Magistrates' was not written in reply to any defence of kingship: it was a spontaneous vindication. Milton's motive, therefore, in writing and publishing it becomes more characteristically that which governed his life throughout—to avow his principles without fear of giving offence and to defend whatever he conceived to have been nobly done. Most of it was written during the king's trial, and it appeared a fortnight after the king's execution. It contains the basis of all Milton's political tracts, for the 'Eikonoklastes' and the two 'Defences' only enlarge the same principles with interlude cannonades of uproarious abuse. The one root idea from which they all spring is that stated in the thesis of the first pamphlet—'that it is lawful, and hath been held so through all ages, for any who have the power to call to account a tyrant or wicked king, and to depose and put him to death, if the ordinary magistrates have neglected or denied to do it.' He also goes back to a first principle of society: 'No man who knows aught can be so stupid to deny that all men were naturally born free.' He is at one with Hobbes in his axiom that society is founded on a compact, that 'men agreed by common league to bind each other from mutual injury and jointly to defend themselves against any that gave disturbance to such agreement.' But in Milton's society kingship is a mere accident; with Hobbes it is the keystone of the arch. Like Sidney, Milton gives the king's power only a derivative value, and he too reserves for the people the right of rebellion. He maintains that the people of any country, if they see good, may depose their sovereign, whether the sovereign be just or wicked; and if he be unjust and tyrannical, if he be one 'who, regarding neither law nor the common good, reigns only for himself and his faction,' this right becomes a duty. More than this, if the ordinary

magistrates have neglected to punish the wicked king it is lawful for any to do so who have the power. There is no reason to doubt that Milton would have signed the death-warrant of Charles I as readily as he defied the laws of licensed printing. Republican to the last, he sent forth, only a few months before the Restoration, a final determined protest against the now inevitable Stuart return in his 'Ready and Easy Way to Establish a Free Commonwealth.' Then he retired, beaten but unsubdued.

Idealist and republican as he was, Milton was still the man of Cromwell's Commonwealth. He was not removed from the puritan ranks like Sidney, and, as we shall see, like Harrington; and being one of a party, however far in other respects he rose above it, he made his defence of liberty in politics, like his defence of liberty in religion, a case of special pleading for those with whom he had allied himself. He seems to rise, indeed, to the inspiration of 'handling the greatest theme that ever was.'

I am to relate how a most potent king, who had trampled on the laws, given a shock to religion, and was reigning at his own pleasure, was at last vanquished in the field by the people who had served a long servitude under him, was then cast into prison, and finally, when he gave no ground at all for hoping better things of him, was condemned to death by the supreme council of the kingdom and beheaded by the axe before his own palace gates. I am to relate also by what right, especially according to *our* law, this was adjudged and done, and shall easily defend my valiant and upright countrymen who have deserved most conspicuously well of the united citizenship and nationalities of the world.

But there he droops. An independent who has pledged himself away to the party of the independents, he has not the clear eye of Harrington to distinguish between the actual and the possible. England with him has accomplished her work: the country has liberated itself. He does not recognise that the liberators furnished no guarantee that this liberty would not be interfered with, whether in matters religious, or political, or social. The form into which the constitution was settling was, in his own words, 'not such as might be wished, but such as the disaffection of bad citizens would allow to exist.' The Commonwealth was still labouring under the perplexity of factions and obliged to defend itself by arms; but Milton failed to see, as Algernon Sidney saw, that the pikes of the Commonwealth were to be beaten, not into ploughshares, but into fetters. Blind though he had now fallen in the public service, he nevertheless bated no jot of heart or hope, but looked confidently to Cromwell as the one stay of England, the impersonation of new-found liberty, the father of his country. His panegyric upon the leaders of the revolution is crowned with his panegyric on the Protector. Parliaments had met and accomplished nothing: Cromwell alone remained.

We all yield to your insuperable worth, no one having a word to say to the contrary, unless it be some one who seeks equal honours for himself with an unequal title, or grudges their bestowal on one of higher desert, or understands not that in human society there is nothing more pleasing to God, more agreeable to reason, nothing fairer and more useful to the state, than that the worthiest should bear rule.

He did not, it is true, hesitate to warn Cromwell, 'the patron and, as it were, the tutelary god of liberty,' against the fatal consequences that would ensue if he should afterwards invade that liberty which he had vindicated. But he seemed to recognise no such danger. He was as jealous of parliaments as Cromwell himself. And certainly he did not appreciate the extent to which his own words, directed against Charles and his ministers, were applicable to Cromwell and his sectarian supporters, about the glory and the duty of tyrannicide in the case of a sovereign who 'reigns only for himself and his own faction.'

Milton's 'Tenure of Kings and Magistrates' brings us to the practical politics of the Commonwealth. I have shown that an ideal was more or less present to all men's minds at this time, meaning by the ideal a deeper insight into the real. The various forms of this ideal constitute the different solutions men were prepared to advocate for the right settlement of affairs, or, as Cromwell put it to his parliaments, for the 'healing and settling' of the nation. The practical conclusion arrived at by those in power was the subversion of the old constitution and the establishment of a free commonwealth. Two months after the king's execution an edict was passed, bearing that

the people of England and of all the dominions and territories thereunto belonging are, and shall be, and are hereby constituted, made, established, and confirmed to be, a commonwealth and free state, and shall henceforth be governed as a commonwealth and free state by the representatives of the people in parliament and by such as they shall appoint officers and ministers for the good of the people, and that without any king or house of lords.

If we would see something of what England was capable of realising at this memorable epoch, we may turn to a book which has hitherto received far too little attention, James Harrington's 'Oceana.' This book is remarkable not merely as a product of the Commonwealth thought, it is also remarkable among political ideals. It is a book of essentially the same character as the 'Republic,' the 'De Monarchia,' the 'Prince,' the 'Utopia,' and the 'New Atlantis.' It is an ideal formed at a time when England had violently cut herself adrift from her political traditions, and entered unfettered upon the inauguration of a new era. It belongs moreover to that time when the immediate realisation of an ideal was the practical determination of those who were masters of the

country, and it was promulgated whilst this other ideal, which bore no less ambitious a character than the establishment of Christ's kingdom upon earth, was in actual process of realising and destroying itself upon the ruins of what had gone before. The distinguishing feature of the book is its solid practical worth: it is mere ignorance or affectation which allows a critic to speak of it as a 'political romance.' It differs from other political ideals in being a model commonwealth presented complete in all its working details both of foundation and superstructure, and it is the work of a statesman who thoroughly understands both law and politics. Harrington turns to the past, not, as Dante does; with the sorrowful eyes of one contemplating a golden age now lost, but with the healthy instinct of one who sees in the experience of the past the most enduring hopes of the future. His model is not the work of one sickened by the perversion of government around him, who turns for solace to rear a fabric in dreamland. The shadow of despair does not even with its borders touch the 'Oceana.' So far from in any way resembling the fanciful Arcadias of an earlier age,¹ the work is practical from beginning to end. It is the expression of his established hopes for the England of his own days, inspired throughout by a fixed faith that now was the time for England to develop into a republic at once strong and free, solidified by a direct and true insight into the principles of government, and enriched by an historical experience that has drained the wisdom of the past.

Historically, therefore, the work is of prime interest; but it has a more vital interest still, and one that, so far as I am aware, no one has taken the trouble to allude to, viz. its anticipated solution of many of the problems of our own age. In education Harrington contrived a solution quite similar to that which we have only recently adopted. Abandoning the impossible dreams of Milton, he propounded an entirely practicable theory of national schools under government inspection, with state support, rates, and compulsory clause, all as clearly defined, if without so many words, as in the acts and codes now in force. Indeed, he is herein ahead of us, for he provides a thoroughly organised system of secondary education, which we are as yet only slowly approaching. In religion he has a profoundly tolerant and far-reaching provision of settlement—a national church directed and controlled by a council of religion and a convocation of divines, the council, however, to exercise no coercive power, but to guarantee liberty of conscience to all. 'No gathered congregation shall be molested or interrupted, but vigorously and vigilantly protected and defended in the enjoyment, practice, and possession' of their worship; and every congregation shall have right of appeal to the council, and if need be to

¹ Mr. Edmund Gosse is hopelessly at sea here (*From Shakespeare to Pope*, p. 26).

the senate or parliament. In politics he has a serene confidence in the silent instincts of popular wisdom, that might abash our modern caucusers, and a conception of England's expansive mission that might do honour to Professor Seeley. But most striking of all are his conclusions on the question of accumulations, particularly accumulations in landed property. For this question of landed accumulation is to him the foundation of the whole, and a commonwealth must look to have the seeds of permanency or decay according as it has accepted a just or an unfair settlement upon this point. Upon this he founds his commonwealth first of all, and the debate upon the Agrarian of 'Oceana' reads like a report from the house of commons.

Of all the political writers and thinkers of this age none had a juster eye for the new possibilities that were opened up for the England of the puritan revolution, and at the same time none saw more distinctly how far the actual Commonwealth fell short of what was then possible. Personally he is a less interesting figure than that sword of flame Sidney, but his ideas contained a far deeper wisdom than those of Sidney; he carried more intellectual ballast, while he had hardly less enthusiasm; and what he wrote is of vastly greater interest and worth. Yet he embodies the same ideal of the time, the same that inspired Cromwell's disastrous and baffled effort, the same that inspired the utterance as well as the action of the furious latter-day saints whose hot gospelling zeal turned the Commonwealth into a Christian Juggernaut, that inspired alike the dreary logic of Hobbes and the fiery eloquence of Milton. This last erred in defect of completeness. His moral idealism was too intemperate for his sagacity, and he made himself the champion of single deeds without appreciating their connected issues. All of them had their observation either perverted or rendered incomplete by the partial issues of the time. The immediate struggle was prejudicial neither to Harrington's lucidity of mind nor to his trustfulness, for he never allowed its warping influences to take effect. We may have warmer admiration for some who struck doughty blows in the heat of the battle and who, if they fell, fell with something of a starry splendour. But when we observe the unbiassed temper with which Harrington approached the intricate questions of the time, the perspicacity which he brought to disentangle them, and the breadth of wisdom with which he elaborated his solution, we may find atonement for that aloofness which is not always a fault.

For Harrington too is remarkable as a man. From his early years he evinced that habit of observant self-possession which gives authority to opinion. Even as a boy, as Toland, his admiring editor, tells us, he had a 'natural gravity which kept his teachers in awe.' Born into this stormy epoch, he marked out his own

work at as early a period as his entrance into the university. Setting aside academic routine, he devoted himself under the tutorship of Chillingworth to a preparation for foreign travel, and on his father's death he quitted England to study continental government and politics—a step which indicates the same motive that led Falkland to institute the conviviums at Tew, viz. that he might come to 'a rational determination.' In Holland, now flourishing after its liberation from the Spaniards, he had occasion to study military discipline as well as government. He had high favour shown him by the prince of Orange, visited the court of the queen of Bohemia, and entered the service of the prince elector. Regarding those political studies which formed his main occupation he used to say that before he left England he knew no more of monarchy, oligarchy, democracy, or other forms of government 'than so many words in the dictionary.' Before returning home he also visited Denmark, Flanders, Germany in various parts, and France, but his most fruitful field of study was Italy. He there acquired that minute and extensive acquaintance with the medieval republics and with the existing Italian governments which is so conspicuous in every page of his writing. Italy also furnished him with a valuable political library, with one writer who never fails to elicit his admiration, Machiavelli, 'the prince of politicians,' 'the only politician,' 'the greatest artist in the modern world,' and with a working example of one commonwealth that was then for him 'better than all others in the world,' the commonwealth of Venice. On his return to England he first entered the service of Charles as one of the privy chamber extraordinary (the struggle was just then coming to a head), and accompanied him in his first expedition against the Scots; but, loth to suffer the twist of partisan action, he retired into private life to bring the fruit of his travels to maturity. In 1646, when the first conflict had been decided and Charles was now a prisoner, he emerged 'out of curiosity,' and was thereon appointed to wait upon the king's person as 'one known to the king and engaged to no faction.' From this time, with one short interval of separation, due to his refusal to take an oath against assisting the king's escape, he attended Charles until his last moments on the scaffold. He was 'very acceptable to the king,' who found him 'an ingenious man,' and conversed with him by preference to others of the suite about books and foreign countries and government. After the king's execution he again withdrew to his study, this time to mould his expectations and ideas about this new-born England into his 'Model Commonwealth.' He had been studying civil government both from books and from practical observation ever since his student days at Oxford, and now he had reached his determination.

The work, on being completed, experienced difficulty in publica-

tion. Its views were distasteful to both parties. The royalists thought him unfaithful to the king; the Cromwellians were enraged. Like Paul at Athens he had shown them what they ignorantly adored, and his ideal of a commonwealth was so severe a comment upon theirs that Cromwell had the book seized in the printing. A very pretty story is related by Toland about his touching and quaint appeal to Lady Claypole, Cromwell's favourite daughter, for the liberation of 'his child,' as he fondly termed it, and of her interest and intercession on its behalf. The manuscript was restored and the book published with a dedication to Cromwell himself and the motto, *Quid rides? Mutato nomine de te fabula narratur*. Cromwell is said to have laughed that 'the gentleman would like to trepan him out of his power, but what he had got by the sword he would not quit for a little paper shot.' Yet there is little in the work directly obnoxious to Cromwell; the great offence lies in the difference between Harrington's statesmanship and the Protector's. Whatever direct offence there is springs from Harrington's hope and trust that Cromwell might prove England's saviour. It was not essential that he should have acted as Harrington pointed out, but if he had possessed the philosophic and political insight and the constructive genius revealed in Harrington's work he might, with those administrative talents which he possessed in such a high degree, have accomplished for England something very different from that sword-and-bible despotism. Harrington's work, in fact, is not merely a model of a free commonwealth; it is an impassioned *argumentum ad hominem* to Cromwell himself, who had such an opportunity as scarcely ever man had, an opportunity equal to that of Lycurgus for Sparta, or Washington for America, of either reforming what was amiss in the old government or establishing one altogether new.

The 'Oceana' is a model of an equal commonwealth, made by one who has something of the instinct of an artist. It is divided into four parts. The first consists of preliminaries, in which he investigates the fundamentals of government and arranges his materials. In the second a council of legislators is assembled to found the commonwealth—something like the assemblies that gathered round Mirabeau and George Washington, and actually representing the council of state which aided Cromwell in drawing up the instrument of government in 1653. In the third part the work is performed. The fourth is a corollary of reflections.

In his nomenclature and method of discussion there is an antiquated pedantry, which gives the work a clumsy appearance, but the pedantic husk is worth peeling off to reach the kernel. He begins the preliminaries by distinguishing the two kinds of power, material and intellectual. On a proper adjustment of the former depend the justice and equality of a state; on the latter depends

its continual and ever renewed freshness. But both must be enlisted if a commonwealth is to preserve its health. In these two he strikes the dominant chord of his 'equal commonwealth.' That is one which is (1) 'equal in its foundation,' *i.e.* one based on an equable distribution of the power accruing from the possession of material wealth, and (2) 'equal in its superstructure,' *i.e.* maintaining a similar balance in the distribution of power proceeding from intellectual authority. With regard to the former, Harrington believed that he had made a discovery, *viz.* that *EMPIRE FOLLOWS THE BALANCE OF PROPERTY*, whether that be in lands, commodities, or money. Property of the last two kinds is so much 'on the wing' that Harrington limits his criticism chiefly to the question of property in land.

So long as the agrarian balance is unequal, disturbance is sure to arise. Proceeding on this first principle to examine the causes of the distempers in his own day, he concludes (and in his conclusion he was developing what to some extent had already been sighted by Bacon) that these troubles were 'attributable neither wholly to wilfulness nor faction, neither to the misgovernment of the prince nor to the stubbornness of the people, but to a change in the balance of property, which ever since Henry VII's time was falling into the scale of the commons from that of the king and of the lords.' The passage² in which he thus traces the dissolution of the Stuart monarchy is one whose lucidity and grasp give him title to stand in the van of our philosophic historians, and one that makes us regret that he did not write a complete history of the period. But his ambition took a different flight. His aim was not merely to write a diagnosis but to prescribe a cure, 'to provide a method of preventing such distempers.' Accordingly, after showing how the policy of the Tudors had made the balance incline to the commons; that when the commons had once raised its head nothing more was wanted than that the people, knowing their own strength, should be made to feel it; that when a prince came 'as stiff in dispute as the nerve of monarchy was slack' dissolution was inevitable; that it was this dissolution of the government which caused the war, and not *vice versa*—he introduces Cromwell in the person of that 'most virtuous captain and incomparable patriot Olphaus Megaletor,' who henceforward figures as Lord Archon and master genius of the new commonwealth. Chancing upon the following of Machiavel, 'Thrice happy is that people which happens to have a man able to give them such a government at once as may secure them of their liberties,' he concluded to try the occasion, and with a council of fifty to aid him in his labours, representing the commonwealths of Israel ('concerning which no man wrote common sense before Harrington'), of Athens and Lacedæmon.

² Pp. 67-70 of Toland's edition.

daemon, of Carthage, Rome, the Achaian league, of Venice, Switzerland, and Holland, he proceeded to establish the commonwealth upon the principles laid down by the author in his preliminaries. In the thirty 'orders' of which the constitution consists he traverses the whole field of civil polity, and introduces his 'Model Commonwealth' in a complete form.

He has one leading object throughout, that it is to be a commonwealth equal and free—equal, *i.e.*, both in its foundation and its superstructure; and free, *i.e.* one whose government shall consist in the empire of laws, not of men. As a foundation, then, he begins with an adjustment of dominion in property. Bacon had said, 'Let states that aim at greatness take care how their nobility and gentlemen multiply too fast, for that makes the common subject grow to be a peasant and base swain, driven out of heart and in effect but a gentleman's labourer.' Harrington's provision against the evil is one which modern reform has rendered tolerably familiar, that of cutting down large property holdings by legal enactment. Not that he is a foe to aristocracy, for upon this point he is resolute and peremptory—that no country can be rightly healthy without an aristocracy.³ But he will have the balance of property in the hands of the many, not of the few. 'Keep the plough in hand of the owner and not of mere hirelings.' Then you will have *terra potens armis atque ubere gleba*. He briefly provides that no one shall own land to the extent of a greater annual value than 2,000*l*. Estates exceeding this shall be divided at the first generation and surpluses forfeited: he is an uncompromising foe of entail.

On the introduction of this land bill the right hon. Philautus de Garbo, a young nobleman with 10,000*l*. a year and four junior brothers, assails it with the vehemence and argument now so familiar—that it is uncalled for, is dangerous to the state, will not effect its purpose, is destructive to families, destructive to industry; that it will never be passed. The answer to these arguments is a curious forecast of the economy of our own land agitators. The agrarian is necessary to ensure the equality and fixation of the state. It is not well for any government that a few landlords should overbalance a populous country: there is then a tendency to degenerate into oligarchy. Nor is it a convincing argument to say that it implies a certain amount of danger, for there is greater danger from the absence of a just agrarian than from a reform which, though severe at the time, provides an antidote against this poison. As to its ruination of families, how many families are there whose yearly revenue exceeds 2,000*l*.? So few that their interest cannot be balanced with that of the whole nation. No: if monarchy has

³ He animadvert on Machiavel's idea that a gentry is galling; that is, only when the gentry overbalances.

made bold with so many for the sake of a few, the commonwealth ventures to make bold with a few for the sake of so many. More than this, the agrarian will be for the benefit of families.

Truly, when I consider that our countrymen are none of the worst in nature, I marvel how it comes to pass that we should use our children as we do our puppies—take one in the lap and feed it with every good bit, and drown four. . . . And this is that interest of a family for which we are to think ill of a commonwealth that will not endure it! But quiet ourselves! The land through which the river Nile wanders in one stream is barren; but where it parts into seven it multiplies its fertile shores by distributing, yet keeping and improving, such a propriety and nutrition as is a prudent agrarian to a well-ordered commonwealth. Whatever large estates suck from the people is better digested by small estates into the blood of the commonwealth.

Neither is it true that this reform will destroy industry: a political body is not rendered fitter for industry by having one leg gouty. There is no tendency to the improvement of merchandise in the existence of a class that have no need for trading, whilst others are unable to follow it. The agrarian will rather encourage industry through its provision for the dissemination of wealth. The superior limit fixed does not strike at industry, but only at covetousness; for where there is some measure in riches a man may hope to become rich, but where there is none the way is only opened up to avarice. His closing words upon the practical difficulties of passing the bill convey a warning that might have been stirred by the recent risings in Ireland and Skye. It would be safe not to make too much of those difficulties at such a time, for if the people see intemperate postponement of the reform of an evil to which their eyes are once drawn they will take reform into their own hands. 'Wherefore, if you will not fix this, the rest is blood; for without blood you can bring it to no other.'

From the general tenor of his debate, as well as from desultory remarks elsewhere, it is apparent that under the 'balance' which this agrarian was to provide Harrington included limitations on private fortune in capital as well as land. His references to capital are subsidiary, because England was for him characteristically a 'commonwealth of husbandmen.' But in reference to Holland and Genoa he makes the balance of treasure hold the same function as the balance of land in England. He holds rigidly to his balance, whether it be between men and classes or between the state and the individual. Though his ideas run on socialistic lines, he stops short of socialism. He stops short, for instance, of land nationalisation, though coming very near it, for fear the private balance should be lost. Individual accumulations of capital, beyond a certain point, are opposed, for the twofold reason that they destroy the balance of the commonwealth and injure the health of the social body. Livy

is quoted with great approval: 'Of late riches have introduced avarice, and voluptuous pleasures abounding have, through lust and luxury, begot a desire of blasting and destroying all good orders.' To the same effect Aristotle: 'Immoderate wealth, where one man or the few have greater possessions than the equality or frame of the commonwealth will bear, is an occasion of sedition,' whence ostracism. Of a harmony is his droll provision that no daughter shall have a dowry of more than 1,500*l*. He does not care to see the daughters of England exposed to the designs of cut-purse husbands. And what evils may not follow from this wretched custom of marrying for money when even the nobility are willing to forget their blue blood and see 'the tallow of a chandler converted into that beauty which is required in a bride'?

'Equal in its basis and equal in its superstructure.' The former is supplied in the agrarian, and the commonwealth being thus founded, he proceeds to frame such a superstructure as will render this basis exempt from the contingency of a perverting misgovernment. The second of his fundamentals is rotation of office and the ballot. The ballot is necessary to insure that purity of suffrage which is 'the health, if not the life,' of popular government. 'Election is most free where it is made in such a manner that it can neither oblige nor disoblige.' Rotation of office is necessary to prevent the growth of a vitiating overbalance of individual authority. 'Prolongation of magistracy, trashing the wheel of rotation, destroys the life or natural motion of a commonwealth.' These two, which are to the superstructure what the agrarian is to the foundation, are the means of securing liberty and equality in that. The superstructure itself consists of three orders, the senate, the popular assembly, and the magistracy, the government proceeding by equal rotation and elected through the suffrage of all the people, given by ballot.

On the question of election he is a curious mixture of an aristocrat and a democrat. It would be impossible to have a more implicit confidence in the virtue of popular assemblies properly managed: it would be equally impossible to be more profoundly convinced of the necessity of an aristocratic body. On the one hand we hear him affirm with pride that for popular government 'he has more to say than Leviathan has said or will say for monarchy;' on the other he asserts as roundly that 'an army is as well without generals as a people without a gentry.' A nobility is

necessary to the natural mixture of a well-ordered commonwealth. How else can you have a commonwealth that is not altogether mechanic? Your mechanics, till they have feathered their nests like the fowls of the air, are so busied in their private concernment that they have neither the leisure to study the public [i.e. public business] nor are safely to be trusted with it. But if a man's share be such as gives him leisure by

his private advantage to reflect on that of the public, what other name is there for this sort of men *à leur aise* but a nobility, especially when their families come to be such as are noted for their services done to the commonwealth, and so take into their ancient riches ancient virtue ?

In another place—

It is a vain imagination to suppose that politics can be mastered without study, or that the people have leisure to study ; and for divines and lawyers, let their incurable running on their own narrow bias serve for instruction. I will stand no more by the judgment of lawyers and divines in this work than by that of so many tradesmen. There remains only the nobility and gentry.

Into their hand accordingly is relegated the chief business of government in the senate or upper house.

This upper house, however, is an elective, not an hereditary chamber. The aristocracy in whom his faith is thus reposed is not one whose title is constituted by claims founded merely on hereditary right or the greatness of estates ; it is a class in the possession of no privileges beyond those of education and leisure for the public, furnished by ease and competent riches. The only right recognised shall be natural right, 'the possession of excellent parts ;' and their intrinsic worth, according as that comes to hold weight in the judgment or suffrage of the people, shall be their only way to honour or preferment. He would thus not abolish the house of lords, but only its hereditary privileges, and at the same time he would take care that the legislative chambers should not be open to all and sundry. This house is to consist of 300 members, of whom one-third retire every year. It alone is to possess powers of debate, but its decrees receive ratification from the popular assembly.

The lower house, of 1,050 members, is merely to vote on bills sent down to it. Harrington seems to believe that the members will have enough of opportunity for discussion outside the walls of parliament. 'The tribes are to take oath neither to cause nor introduce debate into any popular assembly of this government. The commonwealths of Greece were all ruined or shaken by the intemperance of their *comitia*. If good heed be not taken on this point, a commonwealth will have bad legs.' In Sparta, till Ly-sander, the people had no power of debate : therefore it was steady. So Venice. 'Nor will any commonwealth where the people in its political capacity is talkative ever see half the days of one of these.' Debate in a popular assembly becomes 'no better than a game of football.' He has implicit faith in the great body of silent wisdom in the people, but he believes also that those who embody this popular wisdom have no liking for debate. 'You will never find they have assumed debate for itself, but for something else,' some wrong, and then it is not in art or nature to debar them. It is his

very faith in silent popular wisdom which makes him such a foe to 'your glib tongues, your demagogues and grandes,' because he knows that a free and healthy state will easily rebound from any partial exercise of the dictatorial power, but finding itself in the region of deleterious gas it is bewildered how to proceed.

Senate proposing, people resolving, magistracy executing : these together form the superstructure. In addition to these he provides his scheme of education, already alluded to, national endowed schools in every parish, and attendance thereat compulsory from five to fifteen years, when a youth must take up a trade or study further. Technical education also forms part of his scheme, and military drill is compulsory. There is the council of religion, to prevent sectarianism or bigotry from springing up into a social evil, and to rule the church. 'My lords, if you know not how to rule your clergy, you will most certainly, like a man that cannot rule his wife, have neither peace at home nor honour abroad.' There is the board of trade, a sort of board of practical political economists, whose duty it shall be to have a right understanding of those trades that feed the veins of the commonwealth and of those that exhaust the same, and to acquaint the senate that encouragement or remedy may be applied. There are provincial assemblies for the local government of Scotland, Ireland, and Wales. There is a dictatorship in reserve for cases of emergency—a dangerous provision, but one without which no commonwealth can be safe. He has also a national land scheme for the devotion of surplus revenue to the purchase of lands for the state, which in time yield a return for the abolition of taxes. He has, further, a scheme of colonisation, which indicates that he saw in the England of the future the possible mistress of the world. He is for no such relation of colonies to mother country as that which George III tried to force upon America ; nor yet is he for a mere agglomeration of the different parts of the empire, which in that case 'is hung together like bobbins without a hand to weave with them.' It is a scheme of imperial federation similar to that which is proposed at present ; and it is in an extension of imperial federation of this kind that he conceives England's noblest mission to consist. In words that recall Milton's he asks, 'What can you think but if the world should see the Roman eagle again she would renew her age and her flight ?' And he continues, 'If you add to the propagation of civil liberty the propagation of the liberty of conscience, this empire, this patronage of the world is the kingdom of Christ.' But if, on the other hand,

you, having attained your own liberty, shall bear the sword of your common magistracy in vain, sit still and fold your arms, or, which is worse, let out the blood of your people to tyrants, you not only turn the grace of God into wantonness, but his justice into wormwood. . . . A

commonwealth of this make is a minister of God upon earth. For which cause the orders last rehearsed are buds of empire such as, with the blessing of God, may spread the arms of your commonwealth like a holy asylum to the distressed world, and give the earth her Sabbath of years or rest from her labours under the shadow of your wings. . . . If our religion be anything else but a vain boast, scratching and defacing human reason, which, being the image of God, makes it a kind of murder, here is that empire whence justice shall flow down like a river and judgment like a mighty stream.

In all of this last eloquence we observe his appeal to the actual founders of the Commonwealth, whose high ambition was to make of it a kingdom of Christ, but whose religion was only too accurately described as a scratching and defacing of reason. There is the same severe comment on the actual state of affairs in his description of what ensues in Oceana. 'Now began the native spleen of Oceana to be much purged, and men not to affect sullenness and pedantism. The elder remembered that they had been youths. Wit and gallantry were so far from being thought crimes in themselves that care was taken to preserve their innocence,'—exactly the converse of what was happening in England. In speaking of national theatres he says, 'These things are sure enough to be censured, but only by such as do not know the nature of a commonwealth; for to tell men they are free, and yet to curb the genius of a people in a lawful recreation to which they are naturally inclined, is to tell a tale of a tub.' He does not signalise the puritan censors, but we observe the side stroke in his animadversion upon the French clergy, who forbade dancing. There is the same indirect cut at Cromwell himself in the reference at the close to Timoleon, such a hater of tyrants that he slew his own brother Timophanes. Telecleides exhorted Timoleon that if he restored the Sicilians to liberty it would be acknowledged that he had destroyed a tyrant; if otherwise he must expect to hear that he had only murdered a king.

Oliver Cromwell did not destroy the tyrant: he only murdered the king. It is not my purpose to enter into a detailed criticism of the manner in which Cromwell and those who worked with him failed in the realisation of their ideal. It is an historical fact that an ideal was the high-born aim not only of these, but of an immense section of the better-minded Englishmen of the time. It is a fact also that an ideal such as that of Harrington could, in a far truer and nobler sense, claim to be the kingdom of Christ than that of Cromwell and the saints. We see further that those who held the keys and the sword succeeded not in accomplishing the liberation of a free-minded people, but in establishing a cruel and narrow despotism—all the crueller when we consider that it was more a tyranny over souls than over bodies, and that the nation was called upon to

render its devotion not to the long-desired commonwealth of free citizens, but only to a sort of Calvinistic Juggernaut. The causes of this failure were not mere mistakes of policy or assaults of faction. Faction was an effect rather than a cause, and the true source of failure must be sought in the very nature of the forces which co-operated to settle the Commonwealth, whether these forces be the religious and political principles of those who worked along with Cromwell, or the character and capacities of the Protector himself. Both by his natural disposition and by his training, by his sympathies, prejudices, and associations, by his temper and his abilities, Cromwell was unfitted to accomplish the liberation which he attempted and which, with what light he had, he unswervingly kept in view. Indeed, he himself felt his own inadequacy to the task before him, as may be seen from his demission of authority into the hands of the little parliament, from his reluctance to undertake the protectorate, from his begging leave to be relieved of his charge, 'begging it again and again;' and when finally he was prevailed upon to accept it with limitation by council and by parliament, it was only heavily and doggedly that he did so, as one that enters upon a forlorn hope, and then he would 'sooner be willing to be rolled into his grave and buried with infamy' than budge one jot.

It is strange that while every fresh move plunged him deeper and deeper in the bog of political difficulties, and while every change he made was not only preparing the way for the collapse of his administration, but was bringing England step by step back to the old constitutional forms and gradually nearer to the Restoration, every change proceeded originally from the rudest destruction or violation of those old forms, was realised through tyrannous interference with parliamentary privilege, and was associated throughout with derisive contempt for constitutional deliberation. In the negative aspects of his work he and the new model accomplished a genuine good for England: they demolished the despotic government of Charles, and they prevented an equally despotic government by the presbyterians. But when it came to 'healing and settling' he never was, and from his mode of operation never could be, successful. With a high genius for administration he possessed no gift of statesmanship; he had no sympathy with parliamentary difficulties, no patience with them, no tolerance of conflicting bodies of opinion seeking the truth together. Debates were to him mere 'sittings and proceedings,' 'mere delay of settlement,' and 'talking of this thing or the other,' or, as Carlyle puts it, 'mere hide-bound pedantry careful only of the sheepskin formulas.' He expected unquestioning ratification of the proposals of himself and council, and when the parliament declined to be mere tools, 'Get you gone!' was his sole remedy, as it had been that of Charles before him.

Then, like Charles, he was thrown back upon administration by right of force. It would be idle to discuss at length his parliamentary fiascos when we consider what his parliaments represented. Charles at worst only refused to be bound by the will of the country as represented in parliament; Cromwell's first object was to prevent parliament from representing the will of the country. Urgent in his outcry for a settlement of the nation, he took sure means of preventing the nation from settling itself, or even of speaking its mind in a free parliament. Later on he laid a further interdict upon liberty of speech by securely gagging the press. He threw upon parliament the responsibility of 'healing and settling,' but he reserved to himself the right of saying who should enter parliament and who should not, and thereby excluded from the deliberative assembly nearly all the best and certainly all the most liberal of the constructive political ability which was open to be consulted. He reserved the right of selection, and having selected neither the best nor the wisest, but only such as represented a decimal fraction of the nation, he thereupon rated his political remnant for coming to no wise conclusion and dismissed them in fits of anger. His convention was only a sectarian representative, and his parliaments were only rumps. According to his theory none but 'the people of God' had a just claim to appear in the new representative, and his rights of election were all for a close minority. 'We had as good deliver up our cause into the hands of any as of those who have deserted us or are as neuters.' And he not only excludes catholics and malignants and objects to 'the bringing in of neuters,' but proceeds on lines that lead to more hopeless alienation and to further exclusiveness. It is the note of the jealous sectary, and his 'people of God' rapidly become only the extremer puritans. As he passed on through one failure after another he learnt something of political wisdom and gathered breadth of view when it was too late, but his speech to the convention is merely that of a heated sectarian enthusiast. It bears more resemblance to a salvation-army harangue than to the political address of a sane statesman at the head of affairs. 'I never looked to see such a day as this, when Jesus Christ should be so owned as he is this day in this work. 'Be faithful with the saints.' 'Truly it's better to pray for you than counsel you.' It is an ecclesiastical synod or a kirk session he is addressing, not the parliament of a great nation. 'Have a care of the whole flock,' *i.e.* of the saints and sectaries, for we know with what kind of care the Anglicans and Catholics were guarded. 'Encourage the ministry,' *i.e.* of the preaching sects. 'God's people,' *i.e.* the sectarians and fanatics, 'are called to supreme authority.' 'Would all were the Lord's people, the Lord's prophets!' 'Own your call! you are at the edge of the promises and the prophecies!' 'If I were to choose any servant, the meanest officer for the army

or the Commonwealth, I would choose a godly man that hath principles. . . . And I would all our magistrates were so chosen.' They were finally chosen after the fashion implied in this principle, and the choice only put a premium upon cant and hypocrisy, even though apes of the Dead Sea covered with owl-droppings think so.

With sufficient force to support him any man may govern an empire ; even Claudius could govern Rome. But force alone cannot legislate, and Cromwell's Commonwealth after all was one as void of legislation as its blank space in the statute books. In administration his autocratic spirit found full scope, and the settlement of affairs after a fashion passed under his hands with the swift precision and determined triumph of his battalions at Naseby and Worcester. But his attitude both in legislating and in administering was the same as that of the absolute monarch whom he beheaded. He had learnt the power of the sword, and upon that he rested. If we compare his method of procedure with that laid down by Harrington, we observe how little he realised the possibilities of the time. Both in administration and in legislation he was all for a class. Harrington declares—

If the commonwealthsman excludes any party he is not truly such. There is no reason that a commonwealth should favour any party remaining in fixed opposition to it : but if it fixes them in that opposition it is its own fault, not theirs. . . . If you will be trampling they fight for liberty, though for monarchy ; you for tyranny, though under the name of a commonwealth.

Revert, again, to Cromwell's appeal to the saints, and then hear Harrington.

Those of all the rest are most dangerous who, holding that the saints must govern, go about to reduce the Commonwealth to a party. . . . The world is full of examples of men pretending as saints to civil power and never failing to dishonour that profession.

Cromwell's basis, again, was not the people, but the army. Harrington's reply to the major-generals is his animadversion upon Hobbes : ' The right of the militia or the sword, be the government what it will or let it change how it can, is inseparable from overbalance of dominion ' (*i.e.* with Harrington material power) ' and avails to no other end than destruction.' Harrington says that the secret in setting up a new state lies in retaining the image of the old. Cromwell began by violently destroying the old, and through dismal failure slowly working back to it. But by the time he had worked back to the possibility of starting anew the Commonwealth had already, by the operation of the very forces which gave it existence, worked out its own destruction. It had been a commonwealth in nothing but the name, and thus, as Toland says, ' the

people of England came to hate a commonwealth without loving liberty less.' When we reflect how capable England showed herself, and consider the forces she had ready to hand at that time, when we observe what Cromwell succeeded in doing and what he failed to do, when we compare for a moment the meagre parochialism of his administration with what Napoleon I did for Europe, we incline to believe that it would have been better for England if Cromwell had never meddled with her politics at all. What he succeeded in doing led straight up to the Restoration and the Clarendon code; and what he failed to do reduced England to the necessity of fighting over again the battle for constitutional liberty through the Revolution of 1688. Still the spirit of liberty was stirred in England as it had never been before, to such a degree that men under its stimulating influence could realise in their own minds not merely a vague prospect of a possible civic liberty and civic health, but the very details of a great practical ideal which we now, after two centuries and a half, are still working out in the particular items as well as on the broader lines forecast by those pioneers of political idealism.

JOHN G. DOW.

The Second Partition of Poland (1793)

IT is a fact not very generally recognised that, so late as the last decade of the eighteenth century, Poland might have been saved. The first partition, 5 Aug. 1772, was a rough but real awakening, and during the ensuing twenty years' respite the startled nation broke deliberately with the past and recast her whole political system to correspond to present needs and obviate future perils. Circumstances singularly favoured the courageous reform; well-considered alliances cemented it: success seemed absolutely certain, when the cowardice of the king ruined, at the last moment, the hopes of the nation, and Poland was irretrievably lost.

It is this catastrophe that we shall now briefly consider. The literature on the subject is naturally voluminous enough, and shows no sign of diminishing;¹ but, as the main sources (Polish and Russian) are necessarily tainted by passion or prejudice, we must depend upon the more or less fragmentary reminiscences of the foreign ministers at Warsaw during this period.² Conspicuous amongst these diplomatists was the Swedish envoy Johan von Engeström,³ whose special mission it was to counteract Russian intrigues, stimulate Polish patriotism, and if possible bring about an alliance between the republic and Sweden. Engeström was a man of solid rather than brilliant talents, who, lacking the graces and despising the artifices of the conventional diplomatist, trusted entirely to his native shrewdness and intense force of character.

¹ The latest contribution on the Polish side is Kalinka's *Sejm czteroletni*.

² Supplemented, of course, by such works as Ostrowski's *Les trois Démembrements de la Pologne*, Brueckner's *Katharina die Zweite*, Brüggén's *Polen's Auflösung*. Particularly valuable, too, is Khrapovitsky's *Dnevnik*, or *Diary*, 1782-93, as containing the private, unofficial utterances of the empress. By far the best Russian historical work on the subject is Solovev's *Istoriya padeniya Pol'shi*, which, however, must be read with caution; and the same remark applies to the Polish *Szkic historyczny dziejów 301 étniego panowania Stanisława Augusta* and Paszkowski's *Dzieje Tadeusza Kosciuszki*. The psychology of the Polish character is analysed with his usual acumen by the great Danish critic G. Brandes in his recently published *Indtryk fra Polen*.

³ Born 1751. Swedish minister at Vienna, 1783-88; Warsaw, 1788-91; London, 1794-95. Minister of State, 1809-10.

He has left us ⁴ a vivid picture of King Stanislas and his court, and on all questions relating to contemporary politics he speaks with the authority of an eye-witness. The lighter side of Polish society is depicted, *con amore*, by the famous Gustavus Maurice Armfelt, ⁵ who, in 1779, passed through Warsaw on his way to Paris; while the brief but masterly report ⁶ which J. C. af Toll ⁷ drew up at the request of Gustavus III, in 1782, is still incomparably the best work on the economic situation of Poland at the end of the eighteenth century.

Engeström arrived at Warsaw on 28 Jan. 1788, and a few days later was presented to King Stanislas, whom he thus describes:—

The king of Poland had the finest head I ever saw, but an expression of deep melancholy took away from the beauty of his countenance. He looked miserable and his hair was already quite grey.⁸ He was broad-shouldered, deep-chested, and of such lofty stature that his legs seemed disproportionately short. He had a remarkably vigorous constitution, but trouble and his mode of life had undermined it. . . . He had all the dazzling qualities necessary to sustain his dignity in public. He spoke the Polish, Latin, German, Italian, French, and English tongues perfectly ⁹ . . . and his conversation filled strangers with admiration. As a grand master of the ceremonies he would have done the honours most brilliantly. He gave presents to learned men, who kept him well supplied with extracts from new books, so that he could criticise without taking the trouble to read them. He also had well-paid spies everywhere, and was certainly one of the best informed princes in Europe. . . . Although a spendthrift he was not generous.¹⁰ He did not want to make gifts, but could never say No. Moral courage he altogether lacked and allowed himself to be completely led by his *entourage*, which for the most part consisted of women. . . . Gallantry was his besetting passion. His eagerness to lay hands upon all pretty women, and the levity with which he afterwards abandoned them, procured him many enemies, for, as ladies in this country have great political influence,¹¹ the forsaken beauties generally lend their

⁴ *Minnen och antekningar*, vol. i. ch. iv.

⁵ *Studier ur Armfelt's efterlemnade papper* . . . af E. Tegner vol. i. ch. i.

⁶ *Relation om ställningen i Polen*, 1782.

⁷ General, afterwards Field Marshal, af Toll, born 1743, died 1817, Gustavus III's greatest and worst-treated minister. Toll was sent on a secret mission to Warsaw in 1782, and was accredited minister there in 1794.

⁸ Stanislas was now fifty-seven years old, and had already reigned twenty-five years.

⁹ Compare Armfelt: 'He [the king] speaks Latin, French, Italian, German, and Russian . . . like his mother tongue. One can scarcely imagine a man more amiable in society, but he was certainly never meant to wear a crown.'

¹⁰ Engeström, however, admits the king's generosity to his friends, and the following anecdote of his lavishness recalls the legends of the Caliphs: 'He had often visited the famous Madame Geoffrin at Paris. After his accession he invited her to Warsaw, where, on her arrival, she found rooms provided for her at the palace exactly like those she had left at Paris—the same size, the same kind of carpets, the same furniture, down even to the very book which she had been reading the evening before her departure, in the same binding and placed exactly as she had last left it 'with a marker at the very place where she had left off.'

¹¹ This is as true now as then. Bismarck regards the Polish women as a greater danger to the unity of the German empire than the Polish men.

strength and bitterness to the opposition. This would often have proved dangerous but for the influence of Russia and the means of corruption which the king always had in his hands.¹²

But, whatever might be thought of the king, all connoisseurs were agreed that his court was the most delightful spot in Europe. Armfelt enthusiastically pronounces it 'an enchanted island,' 'an earthly paradise,' where all the men were models of chivalry and courtesy, and all the women were divine. The social graces of Versailles, the refined philosophy of the 'Age of Reason' were here combined with that naïve, original, half-oriental element peculiar to the Polish character, and the result was an indescribable but irresistible charm to be met with nowhere else. It is true that Polish society was as corrupt as it was brilliant. Armfelt was one day at a select *salon*, where out of twenty-five noble married ladies no less than fourteen were living apart from their husbands.¹³ The Saxon minister Von Essen complained that he could not put his hand on three Poles who were at the same time honest and eminent, and it was no uncommon thing for ministers of state to pawn their plate or for palatines to abstract their neighbours' watches. But it should always be remembered that in so decentralised a country as Poland the influence of the court was confined almost entirely to the capital. The mass of the country gentlemen was much the same as it had ever been.

And the gay capital itself was sporting on the edge of a precipice. The Polish magnates might comport themselves as sovereign princes,¹⁴ but the proudest of them could be humbled by a single glance from the Russian ambassador, Count Stackelberg. This tremendous personage had for the last ten years been the virtual ruler of Poland, and all Warsaw cowered before him. The ministers of state took their orders from him daily, and he was the source of all preferment. His pomp and splendour eclipsed the king's. Whenever he took the air it was in a carriage and six with outriders. Whenever he entered a ballroom the music ceased, the company pressed forward to kiss his hand, and no one dared to sit

¹² Stanislas was one of the richest princes in Europe. His private annual income, guaranteed by Russia, amounted to eight millions of gulden. Yet he was always in debt, and therefore dependent on the bounty of Catherine II, who gave or lent millions to her cast-off lover.

¹³ Armfelt's own *liaison* with the countess D—, a married woman, is most characteristic of the time and place. The first *billet doux*, containing the words, *Je ne serai qu'à toi*, was thrust into his hands at church, the lady subsequently explaining that she regarded a promise made in the 'temple of the Lord' as more binding. Let us add that the first assignation was made in the chapel of a monastery, the walls of which Armfelt had to scale at midnight.

¹⁴ Engeström tells us that the princess Sangusko once said to him, 'Everyone at our court is friendly towards Sweden except the doctor.' 'I fancied she was speaking of the Polish court—nothing of the sort. She alluded to her grandfather's court . . . for all the Polish magnates call their houses "courts."' He adds that even their menials were of noble birth and ate at their table.

down till he had first taken his customary armchair. Engeström describes Stackelberg as a fat little man who had ruined his digestion by habitual over-eating, pleasant enough to his toadies but insufferably insolent to everyone else. The Swedish minister very soon had the misfortune to offend his Russian colleague, and social ostracism was the immediate consequence. If the king himself dared not notice the man upon whom the satrap frowned, we can readily believe that every door in Warsaw was closed against the presumptuous offender. Fortunately Engeström's enforced seclusion lasted only a few months. In October 1788 the *sejm*, or diet, assembled at Warsaw, and the whole face of things was swiftly and completely changed.

The death of Frederick the Great (17 Aug. 1786) had quite deranged the balance of power in Europe. The long-standing accord between Prussia and Russia came to an end, and while the latter drew nearer to Austria the former began to look to the western powers. In August 1787 Russia and Austria provoked the Porte to declare war against them both, and two months later a defensive alliance was concluded between Prussia, England, and Holland as a counterpoise against the alarming preponderance of Russia. In June 1788 Gustavus III of Sweden also attacked Russia, invading Finland with 50,000 men, while in the south the Turks held the Muscovites at bay beneath the walls of Oczakov, and drove back the Austrian invaders into Transylvania. Prussia, emboldened by Russia's difficulties, went so far as to invite Poland also to forsake the Russian alliance, and placed an army corps of 40,000 men at her disposal.

It was under these exceptionally favourable circumstances that 'the four years' diet' assembled. Its leaders, Malachowski, Kollataj, and Ignatius Potocki, were men of character and capacity, and its measures were correspondingly vigorous. Within a few months of its assembling it had abolished the council of state, by means of which Russia had hitherto ruled Poland; raised the army to 100,000 men—on paper¹⁵—opened direct negotiations with the western powers; rejected an alliance which Russia, alarmed at the rapid progress of events, had hastened to offer; declared its own session permanent, and finally settled down to the crucial task of reforming the hopelessly vicious constitution. But the difficulties of the patriots were commensurate with their energies, and although the new constitution was drafted so early as December 1789 it was not till May 1791 that it could be safely presented to the diet. Mean-

¹⁵ The expenses of mobilisation were to be defrayed by a fresh land tax; but the estates of the gentry were found to be so encumbered that the army was ultimately reduced to 65,000. Still this was an improvement on the 18,000 fixed by the first partition.

while Poland endeavoured to strengthen her position by an advantageous alliance with Prussia, the only state which seemed able and willing to help her.

In the beginning of 1790 [says Engeström] the position of Prussia was the most brilliant imaginable. Her army was better than it had ever been. The ravages caused by Frederick II's long wars had been repaired. Her generals were able. Her treasury was full. The condition of her provinces was as flourishing as the poverty of the soil would admit. . . . Prussia was closely allied with England and Holland, and the three powers acted in concert. . . . The emperor [Leopold II.] desired peace. . . . The German Bund was devoted to Prussia. Russia was involved in war with Turkey and Sweden at the same time. The first of these wars cost her much men and money, and the second was being waged at the very gates of St. Petersburg. A Prussian army corps lay at Nimmersat, on the Russian frontier, and all the border provinces were defenceless. If the king of Prussia had then declared war, the Polish light troops could have penetrated into the very heart of Russia without meeting any resistance. In fact, the king of Prussia held the fate of both empires, Russia and Austria, in his hands.

But the old pedant Hertzberg,¹⁶ who then directed the councils of Prussia, was incapable of even conceiving an imperial policy. His plan was to grab land gratis from his neighbours by means of an intricate and speculative system of international barter and exchange. Thus Sweden was to cede her part of Pomerania to Prussia, and take Finland and Livonia from Russia; Poland was to surrender Dantsic and Thorn to Prussia, and receive back Galicia from Austria, who, in her turn, was to be compensated at the expense of Turkey, who was then to be left to settle as best she could with Russia. Such a plan, which required as its very first condition of success the support of England and Holland, the acquiescence of Austria and Russia, the alliance of Poland, and the benevolent neutrality of all the other European powers, was obviously impracticable, yet Hertzberg clung to it with fanatical tenacity, and, as he hoped to obtain most from Poland, it was in Poland that his diplomatic activity was particularly noticeable. The Prussian minister at Warsaw, the marquis Lucchesini, was instructed to caress and flatter the Poles to the top of their bent and insinuate the Dantzic-Thorn exchange project at every convenient opportunity. But although the subtle Italian exhausted all the artifices of diplomacy, and although very strong pressure from without¹⁷ was brought to bear upon the Poles, they could not

¹⁶ Engeström.

¹⁷ Oginski, the Polish minister at the Hague, was summoned to London, where Pitt endeavoured to persuade him that Thorn and Dantsic were useless to the republic and the protection of Prussia well worth so small a sacrifice. 'I will speak plainly,' Pitt is reported to have said: 'I mean to coerce Russia if you will oblige Prussia.' Fox, however, prophetically warned Oginski to put no trust in Prussia.

be made to see the expediency of exchanging their only great commercial cities for a treaty of commerce and vague expressions of benevolence. At last, fearful lest Poland should escape him after all, and alarmed at the growing interest of Austria in the welfare of the republic,¹⁸ Hertzberg took the extreme step of entering into a definite political alliance with Poland. On 20 March 1790 a defensive treaty was concluded between the two powers, whereby they engaged to guarantee each other's possessions, and render mutual assistance in case either of them was attacked. The Poles were jubilant, and Lucchesini received from the republic the order of the White Eagle set in brilliants.¹⁹

But external aid was next to useless so long as Poland was hampered with the vicious and anarchical constitution which had been the cause of all her misfortunes. The patriots knew this ; but they also knew that to expect a diet of noblemen to abolish the very constitution which guaranteed all their extravagant and exclusive privileges was to expect too much from human nature. Nor had the proceedings of the diet hitherto been encouraging. The most indispensable reforms had been frantically opposed. A war commission could only be appointed after six months' wrangling, and the debates on the reorganisation of the army lasted still longer. It was only by an audacious surprise that Kollataj and his associates contrived to carry through the new constitution, which they felt to be necessary to the salvation of their country. Taking advantage of the Easter recess, when most of the malcontent magnates were out of town, they (3 May 1791) suddenly brought the question before the diet, and demanded urgency for it. Before the opposition could remonstrate the grand marshal produced the latest foreign despatches, which unanimously predicted another partition, and while the sensation caused thereby was at its height Ignatius Potocki arose and solemnly adjured the king to provide for the safety of the republic. Stanislas Augustus, in a perfervid speech from the throne, forthwith exhorted the deputies to accept the new constitution as the last means of saving their country, and himself set the example by taking the oath to defend it on a copy of the gospels. The diet, in an access of enthusiasm, followed suit, whereupon the whole assembly marched in procession to the church of St. John, where a *Te Deum* was sung amidst salvos of artillery.

The revolution of 3 May 1791 converted Poland into an hereditary²⁰ limited monarchy, with ministerial responsibility and duen-

¹⁸ At the congress of Reichenbach in 1790 Austria offered to restore most of her Polish territory if Prussia would do the same, but Prussia refused.

¹⁹ Engeström.

²⁰ On the demise of King Stanislas the crown was to pass to the family of the elector of Saxony.

nial parliaments. The *liberum veto* and all the intricate and obstructive machinery of the anomalous old system were for ever abolished. All invidious class distinctions were done away with. The franchise was extended to the towns. Serfdom was ameliorated, preparatorily to its entire abolition; absolute religious toleration was established, and every citizen declared equal before the law. The most eminent foreign critics pronounced the new constitution admirable. Burke described it as 'a calm and majestic reform.' Fox considered it 'a work which all friends of rational liberty ought to take to heart.' The king of Prussia officially congratulated the king of Poland on the success of 'the happy revolution which had at last given to Poland a wise and regular government,' and declared that it should henceforth be his 'chief care to maintain and confirm the ties which unite us.' But the alarm of Russia was the most flattering testimony to the wisdom of the new Polish constitution. Cobenzl, the Austrian minister at St. Petersburg, writing to his court immediately after the reception of the tidings at the Russian capital, describes the empress as full of consternation at the idea that Poland under an hereditary dynasty might once more become a considerable power. For the present, however, Catharine dissembled her wrath. Although the peace of Värälä²¹ (14 Aug. 1790) had enabled her to 'draw one paw out of the mire,'²² Turkey, with whom she was now engaged single-handed,²³ still remained unvanquished. She was therefore obliged to watch in silence the collapse of her party in Poland, and submit to the double humiliation of recalling her ambassador and withdrawing her army from that country. Even when the peace of Jassy (9 Jan. 1792) finally freed her from the Turk, and she had involved all her neighbours in a war with revolutionary France, she waited patiently for the Polish malcontents themselves to afford her a pretext and an opportunity for direct and decisive interference. She had not to wait long. The constitution of 3 May 1791 had scarcely been signed when Felix Potocki, Severin Rzewuski, and Xavier Branicki, three of the chief dignitaries of Poland, and therefore most affected by the recent changes, hastened to St. Petersburg, and there entered into a secret convention with the empress, whereby she undertook to restore the old constitution by force of arms, but at the same time promised to respect the territorial integrity of the republic. On 14 May 1792 the conspirators formed a so-called confederation²⁴ at the little town of Targowicz, in the Ukraine, protesting against the constitution of 3 May as

²¹ Concluded with Gustavus III of Sweden immediately after his signal naval victory at Svenskund.

²² Catharine to Potemkin.

²³ Austria retired from the struggle 4 Aug. 1791 by the peace of Sistova.

²⁴ It consisted, in the first instance, of only ten persons besides the three original conspirators.

tyrannous and revolutionary, and almost simultaneously the new Russian minister at Warsaw presented a formal declaration of war to the king and the diet. The diet met the crisis with characteristic dignity and firmness. The army was despatched at once to the frontier; the male population was called to arms; Ignatius Potocki was sent to Berlin to obtain the assistance stipulated by the treaty of 19 March 1791, and, after declaring the king dictator so long as the war lasted, the diet dissolved, so as to leave the executive perfectly free. A few days later Ignatius Potocki returned from Berlin empty-handed. The king of Prussia, in direct violation of his oaths and promises, now declined to defend a constitution which had never had 'his concurrence.' Poland therefore could no longer count upon him. This shameful apostasy was a terrible blow; but even now the situation of Poland, though most critical, was not absolutely desperate. As yet she had only one open foe to deal with; her own resources were sufficient to have kept that foe at bay for at least two campaigns, and two such campaigns would have encouraged foreign intervention and thrown well-nigh insuperable difficulties in the way of a fresh partition. Had the king of Poland only done what everyone expected him to do—had he utilised the patriotic fervour²⁵ of the nation, formed a camp close to the capital, called out the reserves and hastened at their head to the assistance of the hardly pressed army—the first invasion would have been repelled and the bogus confederation would have instantly collapsed.

What might have been done under favourable may be judged from what the army actually did under the most unfavourable circumstances. The Polish forces actually in the field, 46,000, had to defend a frontier extending from Riga to Moldavia against 100,000—an obviously impossible task. To fall back slowly on the capital, so as to give the king time to come up with the reserves, was therefore the Polish generals' best strategy, and they carried it out with equal courage and success. For three months the southern army, under the king's nephew, Prince Joseph Poniatowski,²⁶ and Thaddeus Kosciuszko, kept back the invader; constantly retreating, indeed, but disputing every vantage point and turning on the pursuer whenever he pressed too closely. At Polonna

²⁵ It is estimated that, with the means actually at his disposal, the king could have raised 100,000 men in three months. The gentry offered to pay double the subsidy demanded of them, besides giving personal service.

²⁶ Created a marshal of France, much against his will, by Napoleon in October 1812. His heroic defence of Elster bridge, February 1813, with 800 Poles (the fragments of his corps of 8,000), to cover the retreat of the Grande Armée, is comparable to the defence of Thermopylae. Had he escaped the river he would have died of his wounds. Toll in 1782 describes him as 'a noble young fellow, manly, agreeable, unaffectedly polite, liberal and upright, a reliable friend, and so natural in all his ways as to deserve the love and esteem of all men.'

the Russians were repulsed, with the loss of 3,000 men. At Dubienka Kościuszko with only 4,000 men defended the line of the Bug against 20,000 for five days, and Kochowski's unsuccessful attempt to cut off the hero's retreat cost him 4,000 men. The northern army too, under Jędrzejowski, made good its retreat through the fens and forests of Lithuania, against even greater odds but with somewhat less of fighting, and both armies, in perfect order, finally converged on Warsaw, and were preparing for a general engagement when a courier from the capital informed the generals that the king had acceded to the confederation of Targowicz, and had at the same time guaranteed the adherence of the whole army. All hostilities were therefore to be suspended. This base and cowardly defection was decisive. After an indignant but fruitless protest²⁷ Joseph Poniatowski, Kościuszko, and most of the other officers threw up their commissions; the rank and file were parcelled out all over the country; a Russian army entered Warsaw; Ignatius Potocki, Kollataj, and Malachowski were forced to fly, and the confederation of Targowicz, emboldened by the adhesion of the king, abolished the constitution of 3 May as 'a dangerous novelty.' Throughout the autumn the Russians poured into eastern Poland, while Prussia at the beginning of 1793²⁸ occupied Great Poland. The mask was then thrown off; the two powers publicly declared their intention of annexing the occupied territory, and summoned a carefully selected assembly of renegades and reactionaries to Grodno, 'to come to an amicable understanding on the subject.'

The Grodno assembly was the merest effigy of a diet.²⁹ It represented only seventeen out of thirty-two palatinates. Its members, carefully selected beforehand from among the compromised partisans of Russia, were either insignificant or infamous. Interned in the midst of a Russian army corps, they were absolutely at the mercy of the ministers of the partitioning powers, and every conceivable means of intimidation was unscrupulously used against them. Yet even this helpless and debased assembly revolted against its tyrants. Only after six weeks of the most brutal violence could the Grodno diet be brought to consent to the formal cession of the territory demanded by Russia, and for six weeks longer it still refused to reward the treachery of Prussia with some of Poland's fairest provinces. At last, on the night of

²⁷ Joseph Poniatowski told his uncle that it was not too late to save the country, as the army was ready to shed the last drop of its blood.

²⁸ As late as the autumn of 1792 the attitude of Prussia was uncertain, but the failure of the first coalition against France, and the sudden collapse of the Polish defence, decided her to indemnify herself at the expense of the unfortunate republic.

²⁹ The fifteen occupied palatinates were not allowed to send deputies to the diet. No one who had consented to the new constitution or blamed the confederation of Targowicz was allowed to vote in the remaining provinces, and there were consequently so few electors that they had to be recruited from the prisons.

23 Sept. 1793, the Russian minister Sievers seized four of the recalcitrant deputies; surrounded the castle of Grodno with two battalions of grenadiers, pointed cannon at the doors, and demanded the instantaneous signature of the partition treaty with Prussia. The diet retorted by requiring the release of its deputies and suspending a session which was no longer free. Sievers, beside himself with rage, ordered the Russian commandant, Rautenfeld, to enter the chamber and not allow a deputy to leave it till the treaty was signed. The house received this fresh menace with perfect silence. Rautenfeld then pressed the king to open the discussion, but Stanislas declared that he could not make the deputies speak against their wills. Finally, at three o'clock in the morning, Rautenfeld arose to bring in his grenadiers, when Ankiewicz, the deputy for Cracow, implored the marshal to put the question to the diet whether it approved of the treaty with Prussia, and receiving no answer declared that, there being no opposition, the treaty might be signed. Rautenfeld then thrust a pen between the king's fingers and guided his hand while he signed the treaty. Thus it was that Poland lost 5,600 square leagues more of her territory and nearly 5,000,000 of her remaining population.

The second partition irrevocably sealed the fate of Poland. Even Kosciuszko's prodigies the following year could only save the honour but not the life of the nation. The conditions of the struggle were too unequal, the odds against Poland far too overwhelming. Yet it was better, perhaps, that the most chivalrous of nations should die fighting, sword in hand, behind her shield, rather than slowly bleed to death in ignominious bonds. There is one feature, however, of the last struggle which is too often overlooked. It was purely popular. The king had nothing whatever to do with it. Cowardice is the one vice of which the Poles are absolutely intolerant, and after his adhesion to the confederation of Targowicz the cowardice of Stanislas Augustus was patent to all his countrymen. During the Kosciuszko rising, therefore, the king was simply ignored, and, though treated with outward respect by the dictator, was absolutely forbidden to appear in the camp. Toll, then Swedish minister at Warsaw, had this from the king's own mouth, and Stanislas added, with unconscious irony, 'It is my duty to tell you this, so that impartial persons may know the true cause of the singular circumstance that I do not show myself to the army at the very moment when it is sacrificing everything for the fatherland.'

R. NISBET BAIN.

Ulysses de Salis, a Swiss Captain of the Seventeenth Century

I.

THROUGHOUT the Grisons, from the frontier Val Bregaglia up to the Engadine and down to Coire, one meets with the name of the De Salis. Their crest, the weeping willow, is seen at every turn, carved on walls great and small, on lordly mansions, on crumbling towers. The annals of the canton record their lives, May's 'Military History of Switzerland' their prowess as soldiers in the service of foreign states. Others of the race were famed in law and diplomacy, many renowned for eloquence in debate, some as dignitaries of the church, until the spread of the Reformation throughout their valleys in the sixteenth century converted most of the family into ardent champions of the new faith. In later days they gave their canton its only poet.

They were representative Swiss nobles, combining intense family pride and a keen sense of honour with the strenuous, pushing energy and eye to the main chance commonly attributed to their countrymen. They always seem to have had their wits about them, alertly bending to circumstances and winning fortune from adversity. Yet they were prompt to self-sacrifice when national or family repute was at stake.

The original nest of the race was the Salis'sche Burg at Castellsch, or Castellazzo, in Val Bregaglia. According to an old authority¹ the family was settled in the valley *depuis la nuit des temps*, and according to local tradition the first of the line was a foundling discovered under a willow tree, and who therefore bore the name De Salicibus, changed by his successors to De Salis. But there are no authentic documents concerning the family of earlier date than the fourteenth century. That the De Salis were then both prominent and powerful is proved by a declaration of war against them on the part of Jonathan of Vatz and the counts of Werdenberg and Sargans, dated 1330,² and from that time their wealth and import-

¹ J. von Müller, *Histoire de la Confédération Suisse*.

² *Codex Diplomaticus*, recently published at Coire.

ance continually increased; they became feudal lords of the Val Bregaglia, were powerful in the state, and led many Swiss contingents to foreign battle-fields. Not a few of them were famed for prodigious stature and strength, and wonderful tales are told of the exploits of two brothers De Salis of Soglio, Rudolf 'the Long' and Dietigen 'Sampson,' in the wars of the Sforza. When Rudolf fell in the bloody retreat from Marignano, Dietigen is said to have avenged him with Berserker-like fury, slaying no less than seventeen foes with his own hand.

Another warrior of the line, Colonel Hercules de Salis, who had served with distinction in France, was so outraged by the news of the massacre of St. Bartholomew that, although very burdened with years, he straightway mounted his horse and rode from Soglio to Coire, to return his pension to the French resident there, and swearing never to accept another *doit* from a sovereign who had so barbarously slaughtered true servants of Christ.

Regarding the De Salis as typical Swiss, both in their qualities and defects, they assist us to comprehend the part played by Switzerland in the world's history, and the sound, stubborn core, enabling that small country to hold its own against the pressure of formidable neighbours. And to find a typical De Salis we need only consult the 'Memoirs' of Ulysses de Salis, marshal of France, born 1594, died 1674, giving an account of the greater part of his life and a detailed history of the Valtelline war.³ This sturdy captain was no man of letters, having, he says, 'always preferred arms to learning,' and his original manuscript in Grisons Italian was probably still rougher than the published German translation. Nevertheless it affords a vivid picture of the career of a Grisons soldier 250 years ago, and its historical worth has won its author the title of 'the Polybius of the Leagues.'

Great-grandson to the man who had so indignantly rejected the gold of Charles IX, Ulysses was the third son of Ritter Hercules de Salis of Soglio and a lady of the Von Ott family of Gräsch, and was probably born at the mountain home in Val Bregaglia. Ritter Hercules was a man of mark—had served his country in the field, was the chief civil authority of the Valtelline, as Podestà of Tirano, and being gifted with an eloquent tongue and much diplomatic ability, was frequently sent on political missions to Venice, Milan, and more distant courts. He was a staunch supporter of the Venetian alliance, deeming it his country's best safeguard against Spanish and Austrian intrigues, and as envoy to Henry IV at Sedan succeeded in winning assurance of active help from France, should the Leagues be attacked by Spain. On the same occasion he gained the friendship

³ *Denkwürdigkeiten des Marschalls Ulysses von Salis von Marschlins, aus der ersten Hälfte des siebzehnten Jahrhunderts*, published in the *Archiv für die Geschichte der Republik Graubünden*, edited by Conradin von Mohr (Zürich, 1858).

of the duke de Bouillon and promises of the latter's patronage for one or more of his sons. Accordingly, in 1608, Ulysses was sent to Paris and enrolled among the pages of the duke, as a fitting preliminary to his military career. He gives few details of his Paris life; and even the great event of the assassination of Henry IV is only mentioned *à propos* of a riot between his comrades and the train of a German count, when all princes and nobles were flocking to court to condole with the widowed queen. One of the Germans was killed in the fray and all the pages were put under arrest. 'We had certainly drawn our blades,' says Ulysses; 'but they were short broadswords, and the man had been stabbed by a dagger.' Anyhow the boy was implicated in the affair and owed his pardon to the duke's friendship for his father.

In 1611 his term of service ended, and, enriched by the usual recompense of 'a handsome sword, an excellent horse, and a hundred thalers,' the lad of seventeen rode gaily back to his mountains, reaching Chiavenna just in time for the wedding of his elder brother, Rudolf. All the notables of the land being bidden to the feast, gaiety merged into clamorous debate, and the ex-page was enlightened as to the political questions of the day. Ritter Hercules made eloquent speeches on the necessity of forgetting private dissensions and uniting to secure a fresh treaty of alliance with Venice. All seemed agreed on this point; but, as Ulysses remarks, 'men's tongues do not always express their inmost thoughts.' Soon, though pining to win his spurs, the young man was forced to comply with family arrangements and accept the hand of his kinswoman Violande de Salis of Sondrio. But in 1616 the boy husband escaped from the domestic yoke and joined the Venetian service with a company of 200 men. This step almost caused a rupture with his father, for, although the Ritter was a leader of the Venetian party, he dreaded the results of his son's act at a moment when Austria and Spain were protesting against the enrolment of troops for Venice as an infringement of their own treaties with the Leagues, and even France raised objections. The poor little republic, hemmed in by menacing neighbours, could scarcely dare to have a will of its own, and its policy consisted in futile attempts to conciliate all the powers at once.

Nothing of interest occurred during this first Venetian campaign, but it served to train Ulysses in the details of his profession; and the good discipline and equipment of his men won him the approval of his chiefs. He was chiefly employed in garrison duty on the mainland, while the home government, instigated by Spain, was vainly summoning all officers in Venetian pay before the tribunal at Coire, and condemning them to heavy fines. His next year's work was of a more stirring sort. Floating down the Adige from Verona to Chioggia, his company was shipped over to Friuli,

shared in the second unsuccessful siege of Gradisca (1617), and endured terrible hardships from fevers and floods. Once, when our young captain was down with ague, his quarters were inundated, and he was on the point of being washed away, when his men dragged him out of the water and up into a hayloft, where he lay all night, drenched to the skin and battling with an army of rats.

At the end of the war he returned to Sondrio, took part in the strife between the Spanish and Venetian parties then distracting his country, ran various perils during an outbreak at Coire, and joined in several skirmishes against the Planta faction. All the troubles of the Leagues were caused, he says, by the foreign political agents, who, residing in the country for long terms of years, gained too intimate a knowledge of state complications, and by dint of bribes and threats won over the government to this or that side.

A word must now be said as to the causes of the lengthy war in which the Leagues were about to be involved. For more than a century they had been absolute lords of the long-coveted Valtelline, and were first received there in 1512, as deliverers rather than conquerors. The inhabitants had groaned for twelve years under the misgovernment and tyranny of France, into whose hands they had been betrayed in 1500 by the mercenaries of Ludovico Sforza; therefore, panting for release from this power, the Valtellinese gladly accepted the rule of the Leagues and consented to pay them annual tribute, still regarding them as allies and confederates rather than masters. But the honeymoon of this union was brief; serious differences soon broke out; the new rulers proved no less despotic than the old; and when the treaty of 'perpetual peace,' arranged at Fribourg between France and Switzerland in 1516, clenched the sovereignty of the Leagues over the Valtelline, the last dream of friendship and equality disappeared. Then arose a still stronger motive for discontent. The Grisons, having adopted the reformed doctrines, zealously laboured to diffuse them in the subject valley. But the majority of its inhabitants were firm and bigoted adherents to the old faith; Jesuits and inquisitors fomented their intolerance; ill-feeling grew apace, and hot words repeatedly led to bodily strife and bloodshed.

Owing to its geographical position, this otherwise insignificant valley was a bone of contention among the leading European powers. France, Venice, Austria, and Spain were all snarling and struggling for the precious right of holding its passes. In 1603 Venetian influence had carried the day, and for ten years the coveted privilege belonged to St. Mark's. Thereupon Fuentes, the Spanish governor of Milan, built the famous stronghold known by his name on the Milanese border, at the mouth of the Valtelline, and from this

post of vantage stopped the trade of the Leagues with Italy and harassed their territories at his will. After the expiration of the treaty with Venice (1613) a hot war of intrigue raged at Coire, and in 1617 the Leagues were on the point of signing a convention with Spain when the French ambassador intervened and checkmated the foe at the last moment. But the Spanish party was not easily routed. Religious excitement was increasing in the Valtelline, and the ill-judged severity of its protestant rulers afforded the adherents of Spain a most convenient opportunity for prosecuting their designs. Theological disputes heralded warfare of a fiercer sort; cowed emissaries poured into the valley and fanned the flame of discord. Although Planta, the leading champion of Spain and Rome, had been driven into exile, he had left ardent partisans behind, headed by Jacopo Robustelli, and the whole district was involved in a network of conspiracy. On 19 July 1620 the revolt broke out, first at Tirano. The catholics rose *en masse* and slaughtered the protestant minority, without sparing either age or sex. This so-called *sacro macello* was a second massacre of St. Bartholomew. All protestant houses were sacked and their inhabitants put to death in the most cruel way. Antonio de Salis, governor of the Valtelline, was one of the earliest victims. The same scenes were repeated at Tellio, Sondrio, and in every village and hamlet. The protestants of Tellio were surprised in church and killed after a desperate resistance, and the bell tower was fired to insure the destruction of those who had fled to it for refuge. Everywhere the flames of burning houses reddened the summer sky; everywhere alarm bells were clanging, dying shrieks rending the air. Peasants brandishing scythes and flails scoured the fields in pursuit of fugitives, while bands of returned exiles came pouring down from the mountains to intercept the flight of all who had escaped the massacre. Ulysses de Salis had been with his family at Sondrio only a few days before the outbreak. Threatening rumours were already afloat, and it was with the utmost reluctance that he obeyed a call to arms from the authorities and took command of an expedition against a band of exiles gathered in the mountains beyond the Forcola pass. But to this he owed his life, for his house at Sondrio was one of the first to be attacked and his father-in-law was killed. His wife and little children were spared, and subsequently escaped to the Engadine with a small remnant of their property. In happy ignorance of what was going on below, De Salis was routing the insurgents in the hills on the day the massacre began, and only heard of the revolt when news reached him that Rudolf Planta had forced his way through the Münsterthal to join it.

When all was known the country was overwhelmed with consternation. But no one as yet realised the full extent of the

calamity, nor that nearly twenty years would elapse before the power of the Leagues could be re-established in the Valtelline. A first expedition was hastily sent forth, in the hope of reconquering the valley at a stroke, but after one successful encounter with the insurgents it achieved nothing save the rescue of some fugitives from Sondrio, who were found half dead with cold and hunger in the mountains. De Salis gives a graphic account of this episode, and of the joy of the perishing band on being hailed by friends when dreading attack from their pursuers. The second campaign, undertaken with the aid of numerous auxiliaries from Zürich and Berne, succeeded in penetrating to the heart of the revolted district; but although the Swiss won various small victories by the way they were no match for the disciplined strength of the Spanish army, and their retreat to the Engadine was harassed by perpetual attacks from hostile mountaineers. We have no space for details of these events, nor of the vicissitudes of our hero's family. Neither can we follow the valiant Ulysses to the battle-field, though many episodes of siege and defence, marches, assaults, bivouacs, and the storming of several forts are worthy of quotation. Enough to say that the spirit of the man is seen in his chronicle, and little touches here and there exhibit this honest soldier in a very becoming light. Daring and full of resource, with a shrewd appreciation of men and things, he was evidently as good a comrade as a leader, and, while enjoying the excitement of danger and the satisfaction of fulfilling his duty to the best of his ability, plunged with youthful zest into any chance pleasure that came in his way. There is a straightforward *naïveté* in the complacency with which he records the favour of his superiors and the distinctions awarded him for this or that exploit. Even his little grumbles and jealousies are pleasantly human. He is always and above all things a good fellow, and his strong pride of birth only raises his standard of honour. Though married against his will, and chary of domestic details, he proved an affectionate husband and was a devoted father to the sons who afterwards served with him under the lilies of France. As for the ladies of the family, their part in those times was 'to watch and weep.' We seldom hear of them save when flying for their lives over the mountains, to escape the ferocity of Spanish raiders, or mourning dear ones fallen in battle. No wonder that the dashing light-heartedness of the marshal's earlier pages gives place later on to a sterner mood.

To follow his account of the party strife rending his country would necessitate giving a complete outline of Grisons history; otherwise we would willingly transcribe his narrative of the violent end of that powerful chieftain Pompeo Planta, the persecutor of protestants. The figure of George Yenatsch, the heroic soldier-priest, whose patriotic deeds were afterwards obscured by doubtful

transactions with Austria, flashes like a firebrand through this portion of the 'Memoirs.'

II.

After the unsuccessful defence of Chiavenna in 1621 against the duke of Fera, a defence in which our Ulysses gave fresh proofs of valour, the adjacent Val Bregaglia was ravaged by Spanish hordes, and all 'of the religion' had to fly to the Engadine. It was then that the De Salis village of Soglio was sacked and the family mansion destroyed.⁴ Ulysses arrived there barely in time to rescue the women and children, including his sister and her new-born babe. Their escape by night up the valley through a terrible snowstorm is a vivid picture of the horrors of war.

'Twas a sight [he says] to move stones to tears to see that herd of frightened children and weak women, many with babes on their backs or laden with household gear, struggling over the rocks through a hurricane of wind and sleet. Some fell helpless by the way, others cast down all they had saved from their homes, and a few perished of cold.

Having placed his sister in safety, 'though more dead than alive after her terrible journey,' Ulysses hastened on to Grüşch, where his wife was mourning his supposed death at Chiavenna, and escorted his family to Zürich. But here Austrian commands forbade all hospitality to protestant fugitives from the Leagues, and the De Salis were specially banned.

The exiled captain now resolved to join the army of Count von Mansfeld at Hagenau, and set forth with his kinsman Ruinelli. Their way was beset with perils; all the passes were guarded by Austrian troops, and the pair narrowly escaped capture on the road. After some months' active service in Germany a pressing appeal from his countrymen recalled him to the Grisons, where he aided in a revolt against Austrian tyranny, and, together with his brother Rudolf, did good work in field and council. Then affairs took a better turn; in 1624 Austria evacuated the Leagues, and France was sending an army to upset the treaty of Madrid and restore the Valtelline to its legitimate owners. The fortress of Plattamala and the town of Tirano were speedily won; there was brisk fighting on the shores of Lago di Mezzola (below Chiavenna), and the death of Rudolf de Salis promoted Ulysses to the command of his regiment. But the campaign so hopefully begun had no decisive result. The powers of Europe were still fencing on paper, and the bone of contention—the Valtelline—was, for the second time, handed over to the pope. Ulysses had gained renown in

⁴ It was replaced a quarter of a century later by the stately Renaissance building now converted into an hotel.

this war as a leader of marked ability, and being summoned to the French court in 1627, remained there some time. His narrative of home events is only resumed on 29 May 1629, when, the Engadine passes being again seized by Austria, the land was invaded; great armies marched through it to Italy, and half a dozen imperial regiments were left behind to 'maintain order.' Thereupon France was stirred to intervene, and by enforcing the treaty of Chierasco (April 1631) compelled Austria to evacuate the violated territory. And when, later in the same year, Austria and Spain once more threatened the passes, Louis XIII determined to forestall them.

Ulysses de Salis, still in Paris, was summoned to an audience at Fontainebleau, and sent full speed to Coire with special instructions to the French ambassador Du Landé to hold the passes and march 3,000 men into the Grisons without delay. One of these regiments was given to De Salis, preparations were hurried forward, and all was hope and excitement. Victory seemed assured under so great a leader as Duke Henri de Rohan, and when, early in 1632, the Huguenot chieftain arrived at Coire as ambassador extraordinary and lieutenant-general of the confederate and Grisons army, for the avowed purpose of reconquering the Valtelline, the people were roused to a frenzy of enthusiasm. But the campaign was continually deferred by fresh intrigues and negotiations between France and the other powers. The duke was sent flying, like a shuttlecock, back to Venice, again and again to Coire, once more to Italy, and had more than time to complete his Swiss studies and rectify maps of the Valtelline during a year's retirement at Baden in Aargau. As he afterwards complained, 'he had been six times ordered to the Valtelline, and six times recalled.'

Meanwhile De Salis, still on guard in the mountains, watched the course of events, as well as the movements of hostile troops, and was sickened by these repeated delays. Hitherto personal hopes had quickened his zeal for the conquest of the Valtelline. He had dreamed of recovering his wife's home at Sondrio, the parental estates near Chiavenna; but he now realised that, even if finally regained by the aid of France, the valley would be no home for protestants. So catholic a monarch as Louis XIII could sanction no re-establishment of freedom of conscience, and all 'of the religion' in the Valtelline would be assuredly doomed to exile. He also foresaw that this long-desired intervention of France would be a mere incident in the foreign policy of that kingdom, rather than a proof of friendship towards the Leagues, and possibly, knowing his own countrymen, he considered the bargain a fair one. So, being a practical man, he resigned himself to circumstances, and set up his household gods in Prättigau, not far from the nest of his maternal ancestors. Owing to the ravages of the plague, property was cheap

there, and he was able to obtain for a small price the half-ruined castle of Marschlins and its neglected lands. As it was near the St. Luzien pass, where his regiment was posted, the new castellan found time to repair his towers and cultivate his fields without neglecting his military duties. The seasons came and went, and the lord of Marschlins had been prostrated by fever for several months, when a summons to a general parade of Grisons troops at Iggis on 25 March 1635 suddenly revived his energies and enabled him to quit his bed for the saddle. The dogs of war were loosed at last ! De Rohan was on the way from Alsace—whither he had been sent only to blind the powers as to his real destination—and Du Landé at Coire had secret orders to march on Chiavenna and Riva, and occupy both places pending the arrival of the duke. Ulysses knew that the so-called parade meant serious work, and that all the regiments would immediately proceed by forced marches towards the Valtelline, leaving only a few companies to hold the passes. Though barely able to sit his horse on the road to the place of muster, joy gave him strength. The moment for action had come at last ; the following day French regiments, horse and foot, joined the native forces already assembled ; the same evening the army moved southwards, and Ulysses rested his aching bones on the summit of the Splügen. Fair weather and moonlight aided the descent into Italy. Thanks to rapidity of movement and special precautions, the army poured down from the mountains unseen by the enemy, entered Chiavenna, where they were made heartily welcome, and hastened to occupy Riva and the mouth of the Valtelline, without molestation from the Spaniards across the lake.

Forts were erected, intrenchments dug ; a few trifling skirmishes took place and the trembling elders of the Valtelline sent a deputation to declare that, in accordance with the treaty of Monsonio, they accepted the protection of the king of France. On 20 April Henri de Rohan rode into Chiavenna, surrounded by a brilliant staff, at the head of seven regiments of foot and as many squadrons of cavalry. A week later he began the campaign in earnest by marching to Morbegno, in the Valtelline. At the same time a large Austrian force poured over the mountains from Tirol and drove the Swiss from their position near Bormio. This decided the duke to carry the war into the enemy's country, and rapidly crossing one of the Engadine passes, he surprised and routed the imperial army near Livigno, and followed up this success a few days later by an important victory at Mazzo.

Our author was very desirous to accompany this expedition, but the duke preferred to leave him in command of the works near Chiavenna, where his knowledge of the country made his services invaluable. De Rohan had the fullest confidence in De Salis, and

mentions him in his 'Mémoires' as *homme de commandement, de courage et de grande vigilance, qui donna preuves de toutes ces bonnes qualités en rendant fidèle compte de tout ce qui lui avoit été commis*. From first to last captain and chief were on the friendliest terms, and De Salis had an enthusiastic admiration for the Huguenot duke.

As commandant of Chiavenna and the important post of Riva, on the little Mezzola lake, our hero was in continual conflict with Serbelloni's force at Fuentes; for no sooner had De Rohan marched his main army through the Engadine against the Austrians than the Spanish general began a series of attempts to effect a landing at Riva and recapture Chiavenna. But, all these attacks being repulsed by our alert commandant, Serbelloni decided to try another road to success.

Among his followers was a certain Paravicini Capello, a distant connexion of the De Salis. One day this man sent to ask the commandant for a free pass, in order to speak with him on private affairs. He was accordingly allowed to land, and, after beating about the bush for some time, announced that the duke of FERIA, having the highest esteem for the talents and character of Commandant de Salis, desired to win him over to the Spanish cause. There was no need to openly desert his flag. Only let him surrender Riva after a sham defence, or merely withdraw to Chiavenna on a fixed day, thus leaving the position exposed to Serbelloni's attack. Nothing more was asked. The duke of FERIA loved the gallant colonel. He had but to say the word, and the command of a Spanish regiment was his for life, together with a premium of 12,000 gold ducats.

As Ulysses tells us, his first impulse was to kill the shameful messenger on the spot, but remembering the difficulty of resisting a determined assault with half his garrison invalided and no reinforcements near, he thought it best to gain time by dissimulation. Therefore, hiding his disgust, he hummed and ha'ed, and finally asked whether the messenger brought these propositions in Serbelloni's own hand. No; but he had general written instructions and forthwith produced them. Colonel Ulysses shook his head. They were too indefinite. How could he know what such promises might be worth without full credentials? Everything must be in black and white before he could come to a decision. The man must pay him a second visit. 'Since Count Serbelloni sought to wreck my honour I felt justified in keeping his hopes alive until the moment came for turning the tables on him.' Meanwhile he hastened to despatch a full report of the affair to De Rohan and demanded immediate reinforcements. A few days afterwards the go-between returned with autograph credentials from Serbelloni, and was again dismissed on a fresh pretext. The colonel could not consent to betray his post

unless half the promised reward was paid down on the nail. By the time the man reappeared, money in hand, some of the reinforcements were already within the walls of Chiavenna, and four more companies at a few hours' distance. So, throwing off the mask, De Salis told the spy he had only listened to his offers in order to gain time, for, being a nobleman, he could not be a traitor. In the manner of the day he sent the politest messages to Serbelloni, declaring himself his humble servant and ready to oblige him in any matter unconnected with his duty to his country and the French king. 'As for yourself,' he added, turning to Paravicini, 'were you not a kinsman and holding a safe-conduct I should send you to the gallows at once.' The wretch fell on his knees, whining for mercy, and was sent off unharmed, but barely escaped with his life from Serbelloni's wrath.

De Rohan was delighted with the trick played on the enemy, and gave the highest praise to De Salis. He meanwhile, by a skilful display of his fresh troops, made their strength appear greater than it was, so that Serbelloni bitterly repented his lost opportunity of attacking the garrison at its weakest. De Salis had also informed the duke of hints let fall by the spy regarding a conspiracy now brewing in the Grisons against the French alliance, and how certain prominent Swiss officers in the pay of France were secretly corresponding with the Spanish resident at Innsbrück. The duke mentioned this news in the presence of Yenatsch, who energetically denounced the report as a lie invented by Spain for the purpose of breeding discord between France and the Leagues.

In reward for his services at Riva our author was now promoted to the chief command in Chiavenna, and on the duke's return to the Valtelline received public commendation and an autograph letter of thanks from King Louis.

III.

The campaign was now vigorously pushed forward. De Rohan won victory after victory at Fraele and Morbegno, and fixed his winter quarters at the latter place, while heavy snowfalls closed the passes. This interval of leisure was employed by the duke in planning an attack upon the Spaniards at Fuentes. The swamp round that fortress being frozen hard, there seemed a good prospect of success. De Salis had the requisite storming ladders secretly made at Chiavenna, boats held in readiness to take them down the lake, and all was prepared for an attack on the night of 16 Jan. 1636. Unluckily, towards evening the weather changed; a south wind melted the frozen swamp, and De Rohan withdrew to Morbegno in a fury of disappointment. But De Salis presently consoled him by

suggesting an assault on the Spanish position on Monte Francesca. The energetic commandant had discovered a little-known track over the mountains which, although difficult, was a practicable passage for troops. The plan was approved, but its execution delayed by threatening political complications. The discontent of the Leagues with France had now reached a formidable pitch. In vain De Rohan tried to appease the envoys assembled at Chiavenna by explaining that, despite his personal desire to hand over the Valtelline to its legitimate masters and aid in the re-establishment of the reformed religion, he was bound to obey the orders of his own master, the king.

Meanwhile Richelieu's persistent enmity was undermining his influence at the French court. No notice was taken of his urgent requests for reinforcements and supplies, no reply sent to his representations as to the necessity of satisfying the claims of the Leagues. The poor duke vented his energy in a successful assault on a strong post at the head of the lake of Como and the capture of a fort near Fuentes. 'Having blown up this fort,' he wrote to De Salis, who had gone to Marschlins on a short leave, 'it will now be easy to do something against the duchy of Milan. Come to me at once on your return.'

The expedition to Monte Francesca was now carried out. Our author gives a detailed and vivid account of the perilous mountain march by which he fell on the enemy from above while the duke attacked them in flank. After a stubborn resistance the Spaniards were routed. De Rohan followed up this success by a raid on Milanese territory, and fresh honours were heaped on De Salis. In the presence of all the leaders of the army the duke handed him another despatch from the king, together with a massive gold chain and a medallion containing his majesty's portrait.

But the duke de Rohan's star was now on the wane. To pursue his successes against the Spaniards it was important to effect a junction with De Créquy's army, then encamped near the western end of the Lake of Lugano, and for this purpose he had decided on a route, suggested by De Salis, across the Forcola into the Misoxerthal and past Bellinzona and Lugano. But when the plan was declared a storm of opposition arose from all sides. The confederate authorities begged him not to pass through their territories, and his own officers, unwilling to abandon the booty gained in the Valtelline, objected to crossing the mountains. The duke hesitated, delayed, and some thought that the prospect of exchanging his post as commander-in-chief for that of a subordinate to the duke of Savoy was enough to account for his indecision.

He was in a difficult position. Though he had defeated the Spaniards in the field, their adherents in the Leagues were daily gaining strength. He saw the prestige of his victories destroyed by

the ill-judged niggardliness of the French government. No money was to be had for the Swiss troops, and as, according to the laws of the country, the men were in this case entitled to seize the property of their chiefs, even the officers most devoted to France began to waver in their allegiance. There was a growing feeling abroad that better terms, even in religious matters, could be wrested from the conquered foe than from King Louis, their ally. Accordingly most of the forces of the Leagues now evacuated the posts entrusted to them by the duke and withdrew into camp near Thusis.

De Rohan's health gave way under the strain; he fell most dangerously ill at Chiavenna, and as soon as he was able to move had himself conveyed on a litter to Coire. His personal influence had a good effect for the moment, and many mutinous officers promised to return to their duty if arrears were paid up. The faithful De Salis still held Chiavenna, but his garrison daily melted away, and even four companies of his own regiment had deserted. Nevertheless he kept up his courage and did his best to maintain discipline and strengthen the fortifications. But matters grew worse and worse for the duke. For two months no answer came to his despatches, and then the only result of his most urgent remonstrances was a very insufficient sum of money and a most unsatisfactory decision with regard to the Valtelline. The government had thought fit to introduce strange modifications into the treaty arranged by its so-called plenipotentiary.

The Valtelline was certainly to be restored to the Leagues, but the catholic religion alone was to be recognised in the valley, and no protestants save those in official posts were to reside or hold property there. This brought the indignation of the Leagues to its climax, and the offers of Austro-Spanish agents fanned the flame. The expulsion of the French was decreed and negotiations begun for assuring possession of the Valtelline by an alliance with Austria and Spain. George Yenatsch was the leading spirit of this new combination, though, being still ostensibly devoted to French interests, he carried it on with the utmost secrecy. De Salis, however, got wind of the affair and wrote to the duke to put him on his guard against Yenatsch. Unluckily De Rohan had the fullest trust in the man, and believed his assertions that the present hostility to France was only a question of money and would vanish entirely as soon as the claims of the troops were satisfied. Thus the conspirators kept him hoodwinked in Coire until all was prepared and the country armed for the expulsion of the French.

On the 9th March 1637 the rebel force marched into the city without beat of drum and surrounded De Rohan's house. But the duke had ridden out to take the air with Ulysses' son, young Hercules de Salis, and, warned by a faithful servant who had slipped through

the soldiery unperceived and intercepted him on the way back, he put spurs to his horse, galloped off to the fortress on the Rhine, and passing through Iggis by the way bade the commandant follow with his regiment.

The enemy left Coire on finding their prey had slipped through their fingers, and, sounding the alarm, everywhere aroused the people to revolt against the French. Orders were at once sent to De Salis in Chiavenna to hold the citadel for the Leagues, and on no account permit their quondam allies to seize it. This was the most perplexing moment of our hero's life. Was he to obey his own government or the military superior from whom he had received his command? Being a soldier his hesitation was short, and assembling his officers he told them they were free to act as they chose, but that he was bound in honour to hold the citadel for the duke. His subordinates unanimously agreed 'to live and die with him,' so he respectfully wrote to the authorities that honour forbade him to surrender the castle without the permission of his chief. He communicated the new turn of events to the French marshal, de Léeques, in command of the forts by the lake, whereupon the latter immediately prepared for defence, knowing that Serbelloni would certainly seize the opportunity to attack him, and sent off a special messenger to Venice for reinforcements and supplies.

De Salis now received a more peremptory despatch from Coire, enjoining him to hold the citadel for the Leagues, furnish no supplies to the French at Riva, and remember that disobedience would be punished by death. The colonel repeated his former answer, but added that, after exposing his life for so many years in the service of his country, he could not forfeit his honour for fear of death, and that, having informed the duke of the position of affairs, he must await orders from him. Meanwhile De Rohan sent word that things were looking better for the French cause, and that he was engaged in negotiations with Zürich and Glarus.

But the duke's hopes came to nothing. In a few days he was compelled to surrender the Rhine fortress, consent to the dismissal of the French from the Grisons, and return to Coire, apparently a free agent, but in reality to be retained as hostage until the last of his regiments should have evacuated the country. By a special clause in the treaty the duke released Colonel de Salis from his oath of allegiance, and bade him open the gates of Chiavenna to the officers of the Leagues. On their side the Leagues guaranteed that the Spaniards should not molest the French retreat. The duke also sent a private despatch to De Salis, authorising him to surrender his post, and government commissioners presently arrived to demand the keys. This was a bitter moment for the faithful soldier, and when in exchange for the citadel he was offered the

command of the outworks he preferred to send in his resignation, and ask leave to go to Coire to render an account of his stewardship to the duke. Heartily disgusted with the state of affairs and the triumph of the hated Spanish party, he sought permission from the government to raise a regiment of his own, in order to serve under De Rohan elsewhere. As to the first point no difficulty was made. Yenatsch was delighted to oust him from Chiavenna, having long desired that command for himself. But the duke de Rohan had no authority to engage fresh troops.

Meanwhile furious scenes were taking place between the unlucky duke and Marshal de Lécques. After the former had signed the convention exacted by the Leagues a royal despatch arrived, instructing the marshal to hold the Valtelline at all risks, so as to save the honour of France. This despatch had been withheld by the duke until De Lécques had evacuated Riva and was on the march to Coire. De Lécques was maddened with rage, and refused to listen to the duke's explanations. The latter vainly pointed out that, as commander-in-chief, he was empowered to act on his own responsibility, and that it was no fault of his if the French court had kept silence too long and then sent contradictory orders. Thereupon the marshal, seeing how few troops were in Coire, proposed seizing the town by a *coup de main*, releasing the duke, and summoning back the French regiments still within reach. The actual hostility to France was, he said, solely owing to the intrigues of Yenatsch and his friends, and the country in general would welcome an opportunity for renewing friendly relations with its powerful ally. The plan was adroitly conceived, and De Salis, who had eagerly promised his help, considered that it had every chance of success. But the duke refused to adopt it, saying that such a stroke would not only convert the ill-will of the Leagues into lasting enmity to France, but bring all the horrors of war on the land, since Spain and Austria would undoubtedly hasten to invade it. And lastly, he added, the honour of France would be irredeemably stained by a similar breach of faith. At the close of the interview the duke offered his hand to De Lécques, but the latter drew back, haughtily remarking that he could not join hands with a traitor to his sovereign.

Thus De Rohan, after being welcomed as the saviour of the Grisons and proving his right to the title by his brilliant successes in the Valtelline, was driven from the land as an enemy and overwhelmed with reproach by his own countrymen. No wonder that he afterwards wrote in such depreciatory terms on the attributes of the Grisons people. Only a small minority laud him for keeping his word and preferring to sacrifice his reputation rather than bring disaster on the land.

Even the faithful De Salis frankly disapproves of his chief's

decision and goes on to speak somewhat bitterly of the non-payment of certain sums owed him by the duke. Nevertheless he allowed his son Hercules, for whom De Rohan had a strong regard, to accompany him to Zürich and Geneva. As for himself, detested by and detesting the dominant Spanish party, he withdrew to Marschlins to enjoy a spell of domestic peace, until his services should be claimed by France. But, before leaving Coire, he found himself dining one day in the company of Yenatsch and other leaders of the Spanish faction, and, hearing them exult over their triumph, could not refrain from startling them by relating how narrowly they had escaped defeat. Only one of the party had had the faintest suspicion of the counterplot arranged by De Lécques, and all acknowledged that it could have scarcely failed to succeed.

Before long the Grisons was mourning its desertion to Spain, for, although the Valtelline was given back, a special clause in this treaty also excluded protestantism both from that valley and the adjacent counties of Bormio and Chiavenna.

IV.

In a short time De Salis was called to France, graciously received at court, and sent with his regiment to Flanders, where he gained distinction in various battles and sieges. Both he and his brother Charles were in high favour with the king, and Ulysses accompanied the royal expedition to Grenoble with reinforcements for 'Madame,' the duchess of Savoy. In 1640 our hero profited by a leave of absence to return to Marschlins and visit the Valtelline for the purpose of realising the remains of his wife's property in Sondrio. After so many campaigns he found family life equally delightful and refreshing.

Also, the care of his estate affording him plenty of occupation, he began to have serious thoughts of resigning the command of his regiment to his son Hercules. But the wary Richelieu had no wish to lose the services of so trusted an officer, and in July 1641 sent a despatch to Marschlins addressed, '*Pour les expresses affaires du Roy, à monsieur le colonel de Salis, maréchal de camp,*' summoning him to fresh work in a higher post. The brevet was accompanied by a laudatory letter from the king appointing the new marshal to a command in Piedmont. De Salis was equally amazed and delighted by this recognition of his worth, for the rank of marshal was seldom conferred by France on an alien. Dreams of rest vanished, energies revived, and he determined to justify the royal favour, and also do his best for the advancement of his family. So 'in God's name' he rode away from Marschlins with one of his sons and several kinsmen, and at Solothurn tasted the first joys of promotion in witnessing the rage of certain Swiss deputies on such

honours being awarded to a man of the Grisons. 'Better to be envied than pitied' is the marshal's remark. By Geneva and Mont Cenis he reached Pinerolo, and was thence despatched to the army beleaguering Cuneo.

Although a few of the French officers protested against serving under a Swiss and turned their backs on the new-comer, he was kindly received by the rest, and his fellow marshals, Du Plessis-Praslin and Marchese Villa, gave him the warmest of welcomes. On 15 September Cuneo capitulated, and De Salis was appointed governor of the town and citadel. Twenty days later we find him marching to the attack of Castel Dumonte, a fortress perched on a rock and reputed to be impregnable. With his usual daring De Salis tried to take it by storm, and though the attempt failed, for want of suitable scaling-ladders, the garrison was panic-stricken and surrendered the following day. So, with added laurels our author returned to his duties as governor of Cuneo and passed a pleasantly uneventful winter. He was popular with the army, beloved by the inhabitants, enjoyed his share of carnival gaieties, and mentions *à propos* of the cheapness of living, that muscat wine flowed freely and abundance of game was daily served at his table. In the early spring of 1642 the commander-in-chief, Count Harcourt, was replaced by the duke de Bouillon, son of Ulysses' first patron, and the marshal at once gained the heart of his new superior.

Before long the easy life at Cuneo came to an end, that city being now restored to the duchess of Savoy in exchange for a strong place near Pinerolo. Accordingly Ulysses was transferred to headquarters and joined the duke de Bouillon on a raiding expedition across the Milanese border. By 22 June they had reached Cornieto, and were there awaiting fresh orders from France, when Marshal de Châtillon unexpectedly arrived from Paris. The duke eagerly inquired if he brought the expected instructions for the campaign, but was told they would probably be given to his own messenger, who was still detained in Paris 'on account of the cardinal's illness.' At these words the duke turned pale, foreseeing disaster. His presentiments were justified. The cardinal had just discovered the Orleans conspiracy; Cinq-Mars and De Thou were in prison, the duke's messenger had been arrested on charge of complicity with them, and De Châtillon had been sent to Italy on purpose to seize the duke himself. It was a hazardous mission, for De Bouillon was beloved by the soldiery, and it was feared they might mutiny in his defence.

De Châtillon meanwhile had invited himself to sup with De Salis, laughingly saying that good cheer was assured at the marshal's table. But the hour passed without his appearance, and when Ulysses sent to remind him of his engagement the messenger was stopped in the ante-chamber and told that De Châtillon was detained

by private affairs. The latter presently issued from his cabinet, with the generals du Plessis and Le Tellier, and excused himself from the supper on the score of fatigue. This seemed strange under the circumstances, and when the marshal presently discovered that De Châtillon had ordered two regiments to remain under arms all night his suspicions were aroused, for he knew that the duke had no expedition in view. Accordingly he kept on the watch, and on hearing two pistol shots just after midnight leapt into his saddle, and riding through the camp found the Norman troops under arms, though no one knew why they had been called out. Thereupon De Salis roused the rest of the army. Halfway to Solaro he met Du Plessis, and the sight of this general, who seldom rode by day, on horseback at such an hour confirmed his suspicion that some plot against the duke was afoot. Du Plessis averred that the shots had startled him. Meanwhile De Bouillon also had been awakened by the turmoil, and came riding at full speed to ask why the camp was astir, and why no one had warned him of the alarm. Du Plessis murmured excuses about 'reluctance to disturb his Highness before ascertaining the real state of affairs,' and the rest of the night passed quietly.

Fearing that the open arrest of the duke would provoke the troops to revolt, De Châtillon and his colleagues now resolved to take their prisoner in a trap. Accordingly the next morning, after holding a council of war with the duke to decide the route of a foraging expedition, they gave so tempting an account of the citadel and works of Casale that De Bouillon, having the rest of the day at his disposal, rode off to visit that town, leaving De Châtillon in command of the army during his absence.

De Salis, who accompanied the duke, dwells on the brilliant reception given to the illustrious visitor by the governor, De Couvonges. Town and fortifications were duly inspected, and arrangements made for strengthening a certain bridge of boats, over which the army was to pass. Coming back from the bridge, the duke visited the castle, little thinking that the next day would find him a captive within its walls. Through the streets of Casale he was greeted on all sides by shouts of welcome from the crowd. It was the festival of St. John; the heat was overpowering; so the duke gladly hurried back to the governor's quarters, and sat down to cards with one of the party. De Salis, being now at liberty, went to seek out an old acquaintance from Freiburg, commanding a squadron at Casale. He was just going to table with him and D'Espagnol Chambord, a staunch friend of De Bouillon, when De Châtillon suddenly walked into the room, and, calling De Salis aside, asked why a certain Ravenel had not returned to the camp. He was told that Ravenel was on duty at the bridge, by the duke's orders. He next asked whether the duke was in good spirits at

dinner, or seemed depressed by bad news. De Salis replied that he had noticed nothing. Invited to join the supper party, De Châtillon pleaded an engagement, and when De Salis inquired who was replacing him at the camp smilingly said that he and Du Plessis both needed a breath of fresh air: he had not seen the duke yet, but would pay his respects to him presently.

De Salis was astounded that both generals should have abandoned their posts at the camp, and D'Espagnol Chambord whispered in his ear, *Je crains fort que ces messieurs sont venus pour jouer un mauvais tour à monsieur le duc*. Nevertheless the latter was not sufficiently alarmed to fly to warn the duke, in spite of our Marshal's significant glances.

Meanwhile De Châtillon was closeted with the governor, arranging the last details of the plot. The duke was still at table when De Salis finally gained admittance and informed him of the strange arrival of the two generals from the camp. Furious at the news, he instantly sent to reprimand both officers for deserting their posts, and on learning that neither De Châtillon nor Du Plessis could be found his excitement increased. He paced the hall with hasty strides, and remarking De Salis's anxious face, asked why he looked so sad. Just then one of the suite came in and whispered in his ear, whereupon he exclaimed, with a start, *Mon Dieu, est-il possible ?* Then the governor appeared, saying that certain persons expected by the duke were waiting for audience in the adjoining room. De Bouillon turned to him and said, 'I see much going to and fro that I cannot understand. I have just heard that you have orders for my arrest. Tell me plainly if it be true.' The governor bluntly replied that he had royal commands to that effect. The duke refused to believe him without sight of the warrant, and De Couvonges left the room, ostensibly to fetch the order, but really to summon officers to witness the arrest. Snatching his sword from one of the pages, the duke hurried out into the courtyard, and bidding an attendant follow him left the palace unperceived by the guards. He could have scarcely gained the street before a crowd of French officers rushed into the hall, sword in hand. Finding their prey escaped, 'Du Plessis burst into words which cut me to the soul,' says the marshal, and, after a vain search through the apartments, turned to him, saying, 'Monsieur de Salis, you cannot refuse to accompany us, for by royal command we must have the duke dead or alive.' De Salis bowed compliance, and all rode off in pursuit of the fugitive.

Alarm bells were clanging, the troops under arms, the citizens told off to guard certain points. Candles blazed in every window, big fires in every square and open space, so that the whole town was nearly as light as by day. In order to rouse the populace against the duke, a report was spread that he was in league with

the Spaniards, and that the town was to have been attacked that same night. The walls were so thickly manned that there was no possibility of the duke being able to escape by leaping the moat. Nevertheless the pursuers searched the town until dawn without finding a trace of him. He and his attendant had found refuge in a narrow lane whose inhabitants were too poor to light up their windows, and thus eluded capture during the night. Towards daybreak the duke spied a hayloft and clambered up into it on his man's back, but was unluckily detected in the act by a woman of the quarter. Meanwhile the citizens were allowed to disperse, and a proclamation was cried through the streets to the effect that whoever was harbouring De Bouillon must give him up in the course of the day, and that anyone denouncing the place of his concealment should have 2,000 crowns reward. This tempted the woman who had seen the duke to reveal his hiding-place. The unhappy prince was quickly dug out of the hayloft by a dozen musketeers and dragged before the governor. The mob that had welcomed him so warmly the day before now assailed him with yells and execrations. But for the soldiers they would have torn him to pieces. Showers of stones were hurled, and a musket shot aimed at him wounded an officer of the guard. It is satisfactory to know that his betrayer never received the promised gold.

It was nine o'clock in the morning before De Salis heard of the duke's capture, and throwing prudence to the winds, he instantly went to pay his respects to his unlucky chief. Many difficulties were made about granting him admittance to the castle, but finally the commandant allowed him to pass. He found De Bouillon much depressed and repeatedly protesting his innocence to the officers about him. He seemed cheered by De Salis's visit, greeting him affectionately remarked that the marshal's sadness the evening before had warned him that misfortune was at hand, and presently leading him apart into an adjoining oratory, tearfully embraced him, exclaiming, *Je vous prie, monsieur de Salis, de me toujours aimer; je ne seray pas toujours malheureux.* 'I was too moved to reply,' says our author, 'and my tears flowed with his.'

We need hardly say that the marshal's attachment to the fallen duke had disastrous effects for him at court. It was known that De Bouillon had intended to make him governor of Casale in place of De Couvonges, and that even Richelieu himself favoured the proposal. But now all was changed; there were only black looks and cold shoulders for the duke's friend, and 'from this moment,' says De Salis, 'I had no more pleasure in the service of France.' As for De Bouillon, all the world knows that both he and the duke d'Orléans were concerned in the Cinq-Mars plot for overthrow-

ing the cardinal with the help of Spain, and that King Louis himself betrayed them to his tyrant.

The duke was first confined in the fortress of Pinerolo, then transferred to a French prison, and finally regained his liberty by the cession of his rights over Sedan. De Salis gives many details of the days immediately following the duke's arrest. Extraordinary precautions were taken to prevent any attempt at a rescue. A thousand horse and as many foot guarded the captive's removal from Casale; he was driven to the camp in a close carriage and escorted by the whole army to Colarmagna. Being detained some days in this place, the house in which he was lodged was surrounded by a regiment of the guards. Six officers were constantly on duty in his room, and no less than thirty outside. Du Plessis and Châtillon were nearly always in attendance, cheering him with conversation or cards and driving with him to take the air. One day De Salis was on guard at the door, and, as the duke stepped from his coach, came forward to salute him. 'See, Monsieur de Salis, how an innocent prince is treated,' exclaimed the prisoner; and the marshal was beginning to express his sympathy, when Du Plessis drew near and he had to withdraw.

De Salis was the provisional commander-in-chief during these days, but on the arrival of De Bouillon's successor, the duke de Longueville, he rejoined his own corps and pursued the campaign on Genoese territory, taking a distinguished part in its various episodes until seized with fever at the end of November. He was still an invalid when the news of Richelieu's death came to clench his purpose of demanding unlimited leave of absence, and in January 1643 we find him at St. Germain, making his farewell bow to the king. Louis received him rather coldly, but Mazarin made great demonstrations of regard, begging him to show the same devotion in his service as in that of the deceased cardinal. De Noyers was equally friendly and equally desirous to retain the brave marshal. But De Salis explained that the state of his health incapacitated him from undertaking the next campaign, and finally obtained a year's permit and 4,000 *livres* as a mark of the royal favour. Accordingly, after achieving the transfer of his own special company to his eldest-born, Hercules, that of his deceased kinsman Molina to his younger son, John Baptist, and receiving many flattering proofs of esteem from De Longueville, Turenne, and other great leaders, he finally quitted France and retired to his home. But he was still too full of energy to take rest, and before the year closed was acting as arbiter in a fierce political dispute between Davos and the other towns of the Zehn Gerichten Bund. In 1645 he was pressed to resume active service by his former chief Count Harcourt, and assured of promotion at the end of the campaign. De Salis re-

marks that had Louis XIII been still living he should have felt obliged to obey the call, but had no desire to serve the queen regent and Cardinal Mazarin. He had cause to rejoice in his refusal, inasmuch as the Catalonian expedition was not only abortive but ended in an ignominious retreat.

The following year the old marshal was elected landammann of the Zehn Gerichten, and being too ill at the time to go to Davos to be sworn in, a deputation came to Marschlins to receive his oath. But now successive family sorrows darkened our veteran's life. Two near relations suddenly died, and his beloved son John Baptist, aged twenty-six, a most promising young officer, perished in an attack on a fortress near Dunkirk. Condolences from the highest quarters in France seem to have brought a gleam of consolation to the bereaved father, and Marshal Bassompierre, whose own end was near, supplemented his expressions of sympathy by requesting De Salis to appoint a nominee of his own to the command left vacant by 'his deeply regretted favourite.' The corpse of the brave young soldier was buried in France, but, with characteristic feeling, Ulysses caused the heart to be embalmed and brought home to the family vault.

At the close of 1646 an alarm of war roused the marshal from his melancholy seclusion. A Swedish force under Wrangel was occupying Bregenz and expected to invade the Grisons. Instantly the inhabitants were called to arms, and our old leader marched to the St. Lucien pass to inspect the works he had guarded many years before. So vigorous were the preparations for defence that the marshal remarks, 'Had the same zeal been shown in 1620, we might have reconquered the Valtelline at a blow.' The Valtelline, where some of his happiest years had been spent, his most brilliant exploits achieved, was a tender memory to the old man. Doubtless there were many moments when, fighting old battles over again in the chimney corner of his northern home, he yearned for the bright sunshine of that luxuriant vale. But the writing of his 'Memoirs' must have cheered his elderly life, for, though partly jotted down in camp and garrison, they were certainly revised and amplified at leisure. They end in 1649 with an account of the negotiations then going on for buying the freedom of the Grisons from Austrian suzerainty; and after recalling the miseries of the inhabitants in the days of imperial troops and inquisitors, the author exults in the thought that now the reformed faith would be impregably established in the land.

He long persevered in his duties as landammann, but his infirmities became more and more grievous, and during the last five years of his life he was entirely bed-ridden.

He died at Marschlins in 1674, was laid with his dear ones in the vault at Iggis, and the list of his deeds in the following epitaph

confirms his right to rank among the bravest sons of his brave mountain land.

EPITAPHIUM

M. U. S.

ad famam nullo aevo intermorituram

Illustr^{mi} et Genero^{mi} Sago Toga fortissimi patris patriæ

ULISSIS A SALIS

qui anno Salutis MDCXVI. Venetis primum strenue

ad Gradiscam militans tres Cohortes duxit.

A° CIOICXXX ad patriæ libertatem tuendam CC. praeftit.

A° MDCXXII. in Comitibus Mansfeldii pro Germaniæ

libertate pugnantis Exercitu præfectus

Vigiliarum summa cum laude extitit.

A° MDCXXIV. germani fratris Baronis a Salis Vicecolonell.

A° CIOICXXXV. Barone magno cum patriæ luctu extincto

Colonellus electus ipsius virtuti merito successit.

A° CIOICXXXVIII. guardiæ Regis Christianis^{mi} Capitaneus fuit.

A° MDCXXXI. in Vallistellinae expeditione Colonellus.

A° MDCXXXV. oppidi, arcis et Comitatus Clavennen. præfectus

A° MDCXLI in Pedemont^{ana} expeditione gallica meritis suis

Campi Mareschallus a Rege declaratus

ad annum usque CIOICXLIII. forti animo functus est

nec non urbis et principatus Cunæ Gubernator

et interea Regis de Munte expugnator

A° CIOICXLV. ad Cataloniæ Regni Locumt. postmodum

vero ad absolutam ipsius gubernationem vocatus

A° MDCXLV. Landamannus Foederis X. Jurisdictionum.

In his omnibus fuit magnus et gloriosus: fui ut es, eris ut sum.

Religio Pietas Sophia prudentia virtus

Arma themis musa hoc clausa iacet tumulo.

Obiit III Febr. A° MDCLXXIV. Aetat. suæ LXXIX. mon. hoc

Ill^{mo} D. parenti

Sibi et posteris Sali de Marsch. heic posuit COLONEL. HERCUL.

A SALIS.

LINDA VILLARI.

Notes and Documents

A CHARTER OF WILLIAM, EARL OF ESSEX (1170).

THE charter given below is cited by Madox as evidence that in the days of Henry II the exchequer was still 'sometimes holden in other places' than Westminster. Contrary to his usual practice, he does not print the charter; so, wishing to ascertain what light it might throw on the private transaction it records, I referred to its original enrolment.¹ Finding that its evidence would prove of some historical value, I decided to edit it for the use of students.²

Willelmus comes de Essex' omnibus hominibus ⁊ amicis suis, Francis ⁊ Anglis, clericis ⁊ laicis, tam futuris quam presentibus, salutem. Sciatis me dedisse ⁊ concessisse ⁊ hac carta mea confirmasse Rogero filio Ricardi ⁊ suis heredibus villam de Aynho cum omnibus pertinen[ciis] in escambio pro Cunctonia hereditarie tenendam de me ⁊ heredibus meis sibi ⁊ heredibus suis per servicium unius militis ⁊ dimidii, libere et quiete ⁊ honorifice sicut unquam antecessores mei liberius ⁊ honorificencius eam tenuerunt ⁊ habuerunt; scilicet in bosco ⁊ in plano, in pratis et pascuis, in viis ⁊ semitis, in aquis, ⁊ molendinis, ⁊ in omnibus predictae ville adjacentibus. Et insuper dedi ⁊ concessi predicto Rogero filio Ricardi terram de Wlauynton' quam pater meus comes Gal[fridus] dedit Willelmo de Moretonio, per servicium michi faciendum quod predictus Willelmus patri meo facere debuit, hereditarie tenendum [*sic*] de me ⁊ heredibus meis, illi ⁊ heredibus suis. Quare volo ⁊ firmiter precipio quod ista donacio rata ⁊ inconcussa permaneat. Et notum sit omnibus quod istud eschambium factum fuit apud Wynconiam [*sic*] ad Scaccarium coram domino Rege Henrico filio regis Henrici Secundi ⁊ Baronibus suis. Teste [*sic*] Reg' comite, Bac'³ de Luc[i], Willelmo de Sancto Johanne, Galfrido Archidiacono Cantuar', Ricardo Archidiacono Pick[ta-vensi], Hunfrido de Buh[un] constant[e],⁴ Manser' Biset dap[ifero], Gilberto Malet dap[ifero], Hugone de Gundvil[la], Alano de Nevill[a], Thoma Basset, Willelmo filio Audel[mi] Johanne Mareschal, Roberto de Bussone, Johanne const[abulario] Cestr[iae], Ranulpho de Glanville, Gaufrido de Say, Gerard de Kanvill[a], Oseberto filio Ricardi, David de Jarpenvilla,

¹ Madox gives a misleading reference. The charter occurs among the Clavering enrolments of m. 17 (not 19) of the L.T.R., Memoranda of the Exchequer, containing the Michaelmas *communias* of 5 Ed. II.

² Mr. Hubert Hall, of the Public Record Office, kindly offered to transcribe the charter for me.

³ Read Ric[ardo].

⁴ Read constab[ulo],

Ricardo filio Hugonis, Johanne Burd, Willelmo filio Gill[eberti], Roberto de Sancto Claro, Johanne de Roch, Haseulfo Capellano, Henrico clerico, Roberto clerico, qui hanc cartam scripsit, ⁊ multis aliis.

The purpose of the charter is soon disposed of; it records a grant by the earl of Essex to Roger Fitz Richard (who had married the earl's aunt 'Alice of Essex'⁵) of Aynho, Northants, in exchange for Compton, co. Warwick. Both manors were in the Mandeville fief, and the former was to be held, as the latter had been (in 1166⁶), *per servitium unius militis et dimidii*.

The interest of the document is to be sought in its witnesses, and its place of testing, and above all in the date which, I hope to show, they suggest. The mention of the two inseparable archdeacons proves that this date cannot be later than 1174, and consequently, as the young king was present, must have been previous to his revolt in 1173, and therefore to his departure from England about the close of 1172. On the other hand, the date must be subsequent to June 1170, when the young king was crowned, and therefore probably to the meeting at Fréteval (22 July 1170), at which the archdeacon of Canterbury was present.

Thus we obtain a limit of date. Within this limit we may exclude the young king's stay in England after the departure of the two archdeacons (Dec. 1170), as also his subsequent presence in England in 1171-2 while his father was in Ireland, for William Fitz Aldelm was in Ireland with him. Indeed, we are told by Giraldus (v. 286) that when the king left Ireland (April 1172) William was left behind in charge of Wexford.⁷ As the young king then accompanied his father over sea, the only period remaining (except July-December 1170) to which we could assign the document is August-November 1172, when he visited England, with his consort Margaret, for his second coronation. This ceremony took place at Winchester, but we cannot tell whether William Fitz Aldelm had yet returned from Ireland, or whether any other of our witnesses were present on that occasion.⁸

But if we turn to the other possible period, the latter half of 1170, we find an occasion when six of the witnesses to the above charter can actually be shown to have been present, under circumstances of peculiar interest, with the young king at Winchester.

The evidence of charters is so deficient at this period of the reign that from August 1170 to June 1171 Mr. Eyton could only

⁵ See my paper on 'Who was Alice of Essex?' in the *Essex Arch. Transactions*.

⁶ *Rogerus filius Ricardi I militem et tres partes unius militis*. Probably the quarter fee was a separate holding.

⁷ Humphrey de Buhun also and Hugh de Gundeville were left behind at Waterford.

⁸ Foss (*Judges of England*, i. 235) states positively that Hugh de Gundeville did not leave Ireland till 1173, at the time of the rebellion. This, if true, would dispose at once of an 1172 date for our charter; but, unfortunately, he does not give his authority, and I have not succeeded in finding it.

adduce two charters 'quite problematically' and one more 'safely,' as he claims, but erroneously, as his own pages show.⁹ If, then, our charter belongs to this period, its evidence is proportionately valuable. Now all that we know of the movements of the young king at the time is that he was at Westminster on 5 Oct., and that he kept his Christmas at Winchester. Mr. Eyton's book must here be used with great caution. He has been misled by R. de Diceto (i. 342)¹⁰ into the statement that Henry was at Woodstock when Becket sought to visit him in December; and adds—by a confusion, it would seem, with his October movements—'The young king is at Windsor' (4 Dec.¹¹). Henry was neither at Woodstock nor Windsor at this time, but at Winchester. Becket's biographers are unanimous in stating that he sent his envoy before him to the young king at Winchester.

Landing on 1 Dec., and entering Canterbury next day, the primate (says William Fitz Stephen), *post octo dierum moram in sede*,¹² sent Richard, prior of Dover (who was destined to be his own successor), to the young king to ask permission to visit him *tanquam regem et dominum suum*. Richard *veniens Wintoniam, regem invenit, ubi optimates regni . . . coegerat*.¹³

The purpose of this special assembly was connected with the scheme for an irregular election to the vacant sees, at the court of the elder king, by deputations whom his son was to send over.¹⁴ Prior Richard was confronted by the young king's guardians (three of whom attest our charter).¹⁵ He himself, on receiving the application, sent (as I read it) to consult Geoffrey Ridel, who was believed to know his father's wishes, and who, with the archdeacon of Poitiers, was at Southampton, waiting to cross.¹⁶ Turning for

⁹ *Court &c. of Henry II*, pp. 147, 154. The archdeacon of Canterbury attests the Chinon charter, which Mr. Eyton 'safely' assigns to the middle of October 1170, adding that he had 'apparently been with the king ever since the peace of Fréteval (22 July).' But he is known to have been with the young king at Westminster on 5 Oct., as indeed Mr. Eyton elsewhere observes (p. 151).

¹⁰ Becket, he says, visited London on his way, *ad videndam faciem novi regis, qui tunc temporis morabatur apud Wdestoc* (sic).

¹¹ *Court of King Henry the Younger*, pp. 151–2.

¹² *Materials*, p. 121. William of Canterbury places Richard's despatch *post aliquot dies reditus sui* (ib. i. 106).

¹³ *Ib.* i. 106; so Garnier (p. 166, ed. Hippeau)—

*Le juefne Rei aveit à Wincestre trové.
Là èrent del païs li barun assemblé.*

¹⁴ *Ib.* i. 106; so Garnier—

*Pur ç' èrent assemblé cele genz à cel jur,
Et li prince et li cunte et des baruns plusur.*

¹⁵ *Veniens itaque legatus ad curiam, convenit tutores regis . . . Willelmum de Sancto Johanne, Willelmum filium Aldelinae, Hugonem de Gundulfvilla, Randulfum filium Stephani* (i. 108–9).

¹⁶ *Qui de portu Suthamtune transfretaturi erant* (i. 111). Geoffrey sent back a scornful reply (see also Garnier) expressing his wonder that the young king could think of meeting a man who meant to disinherit him. This statement agrees with

their movements to William Fitz Stephen, we learn that, while on their way to cross from a Kentish port, the two archdeacons, on entering the county, learnt that the primate had arrived at Canterbury, and, turning their horses' heads, made for a more westerly port.¹⁷ Southampton clearly was the port they made for, and on their way thither they must have visited the young king at Winchester. This is admitted in the case of Geoffrey, who went there, says Becket, to lay before him the complaint of the excommunicated bishops.

I believe that our charter belongs to this occasion, when the two attesting archdeacons were at Winchester. *Reg'* no doubt is Earl Reginald of Cornwall, who was certainly present at the same time¹⁸ and who is probably referred to in *li cunte* of Garnier. This will establish the presence of six of our witnesses. Of the others Richard de Luci takes precedence as justiciar; Alan de Nevill, Thomas Basset, and the great Glanville were, like the two archdeacons and the three guardians of the king, members of the judicial body; Humfrey de Bohun, Gilbert Malet, and Manasser Bisset were present as officers of the household; John, constable of Chester, was (then or afterwards) son-in-law to the grantee's wife, and Geoffrey de Say was the son of the earl's aunt; Osbert Fitz Richard and David de Jarpenville (probably John de Rochelle also) were among the earl's feudal tenants and are found attesting another of his charters; and Hasculf was the enterprising chaplain who had plotted to carry off the late earl's corpse and present it to the nuns of Chicksand. The only person whose presence need puzzle us is the earl of Essex himself; for William Fitz Stephen¹⁹ asserts that he was despatched from Henry's court after the arrival there of the excommunicated prelates and the archdeacon of Poitou. Either, then, he had previously paid a flying visit to Winchester, or he must have been absent when this transaction was recorded.

J. H. ROUND.

THE 'PRAEROGATIVA REGIS.'

DR. E. F. HENDERSON has raised¹ an interesting question, and one which, if I am not mistaken, has never received that full discussion which it deserves. What is the date and what is the nature of the document which passes under the title 'Praerogativa Regis'?

Becket's own complaint (vii. 406) that his *archidiaabolus* Geoffrey was instructed to make this charge.

¹⁷ III. 120. *Duo archidiaconi . . . jam in Cantiam venerant, ad regem illac transfretaturi. Audito autem quod archiepiscopus appulsus Cantuariæ esset, lora statim diverterunt, ad occidentales maris portus tendentes.* This convicts Mr. Eyton of error in asserting that on 1 Dec. the two archdeacons were at Dover, waiting to cross (p. 149).

¹⁸ *Ib.* i. 111.

¹⁹ *Memorials*, iii. 127.

¹ *ENGLISH HISTORICAL REVIEW*, v. 753 (October 1890).

It used to be printed as a statute of the seventeenth year of Edward II. This, as I believe, was due to a mere accident. The lawyers of the later middle ages in their manuscripts drew a line between the 'Statuta Vetera,' which ended with the end of Edward II's reign, and the 'Statuta Nova,' which began with the beginning of Edward III's reign. Between the two, like an apocrypha between the two testaments, they inserted a group of documents about the date and the character of which they were uncertain, and among these documents the 'Praerogativa Regis.' Then, when the time for printing had come, the position in which these documents were found gave rise to the inference that they were statutes of some year late in the reign of Edward II. Now to this inference there is an objection which seems insuperable. A statute of Edward II's reign—an important statute, if statute it were—would be upon the statute roll; but the 'Praerogativa Regis' is not upon the statute roll, but has to be discovered in mere private manuscripts. Therefore I can agree with Dr. Henderson when he rejects this date, but when he would make the document in question a statute of Henry III's reign then I most respectfully differ from him. It seems to me no statute, but a tract written by some lawyer in the early years of Edward I. May I be allowed to say a few words in defence of this opinion?

In the first place, throughout the whole document there is no word of command, nothing about 'ordaining' or 'establishing,' nothing about 'I' or 'we,' no reference to the quarter from which it proceeds. It is just an objective statement of the king's rights; the king shall have this, the king shall have that. Was ever any other English statute couched in such a form? I think not. Another question: Does any other statute condescend to tell stories? Here we have a story about the heirs of John of Monmouth (c. 14), and another story about the widow of Anselm Marshall (c. 15). But let us look at the matter more closely, taking as our guides Bracton, who wrote somewhere about 1255, Britton and Fleta, who wrote somewhere about 1290.

The first seven chapters afford me no matter for remark, save that in the fourth there is mention of 'King Henry, father of King Edward.' How Dr. Henderson would deal with this passage I cannot guess; perhaps he regards it as an interpolation, for he can hardly endow Henry III with a spirit of prophecy. To my mind this passage tells us plainly that the document was written after Henry's death, and also, though less plainly, that it was written during the life of his son.

The eighth and ninth chapters deal with alienations made by the king's tenants in chief and state a doctrine intermediate between that of Bracton on the one hand and that of Britton and Fleta on the other. It would be long to discuss this matter minutely, but

the subjoined references² will show that while in Bracton the king's claim to check the alienations made by his tenants in chief goes hardly beyond the well-known provision of the charter of 1217, Britton has nearly and Fleta has quite arrived at the broad principle of later law—namely, that no tenant in chief of the crown can alienate the whole or any part of his tenement without the king's consent. Now in this respect our '*Praerogativa*' stands nearer to Bracton than to Fleta. No one who holds of the king in chief *by military service* may alienate *the greater part* of his land without royal license; 'but this is not wont to be understood' concerning 'members and parcels of the same lands.' Raising by the way the question whether statutes often tell us what 'is wont to be understood,' I here find a reason for saying that this document lies between Bracton and Fleta.

The eleventh chapter introduces a very curious topic, the king's rights in the lands of 'natural fools.' I believe that of these very valuable rights there is no trace in Bracton;³ on the other hand Britton and Fleta know them well,⁴ and so far as my knowledge goes they begin to appear in the reign of Edward I. But, further, Britton has a tale to tell of them, and a tale that I have never seen properly explained.⁵ Speaking of a somewhat technical point in the law of guardianship, he touches on a case in which the lord, who otherwise would be guardian, is deprived of his usual rights by the fact that the heir is a natural fool. This rule, he says, was laid down by Robert Walrond, with the common assent of the magnates of the land, 'and in his heir and the heir of his heir the statute first took effect.' Robert Walrond, of course, is the person of that name who, as a royal judge and royal favourite, played a considerable part in 'the misrule of Henry III.' He pronounced the sentence of Winchester which disinherited the rebellious barons, and became rich with the spoil of those whom many regarded as national heroes and martyrs. He died in or about 1272. Coke, who did not know the fact that I am going to state, supposed that Britton's story related to a certain section in the statute of Marlborough (1267), which has to do with wardship, but nothing to do with idiots, and therefore he concocted a fable telling how the biter was bit, how the statute procured by Walrond nullified a certain device whereby Walrond had tried in his own case to evade the law of wardship.⁶ I say that Coke concocted a fable, for the simple truth is this: that Walrond left an heir who was an idiot, and that this heir left an heir who was an idiot. That is what Britton means. The king's rights in the lands of idiots have their

² Bracton, f. 169b, 395; Britton, i. 222; Fleta, p. 178.

³ See Bracton, f. 420b.

⁴ Britton, i. 243.

⁵ Second Inst. 109, a comment on Stat. Marl. c. 6.

⁶ Britton, ii. 20; Fleta, p. 6.

origin in some statute or ordinance issued on the advice of Walrond, and this first took effect in his heir and the heir of his heir. I am not sure that Britton thought that the biter had been bit. It may be that Walrond foresaw that his heir would be an idiot; he had no children, and his brother's son, his heir presumptive, was, in Britton's language, 'un soot.' He may deliberately have preferred that his land should fall into the hands of his good friend the king rather than that it should fall into the hands of his lords, some of whom, like enough, had been his mortal enemies. For this was coming to be the choice; if an idiot was to be treated as an infant, then the idiot holding by military tenure would be in life-long wardship to his lord. Better the king than the lord.⁷

Fleta also treats the king's profitable guardianship of idiots as the outcome of a recent statute.⁸ Formerly, he says, the 'tutores' of idiots used to be the guardians of their lands; this was in accordance with principle, for idiots are *quasi* infants; but many were thus disinherited, and therefore it was provided by common consent that the king should have the wardship of all born fools. There can, therefore, in my opinion, be little doubt that about this matter there was legislation, legislation in which Robert Walrond took part, and we must ascribe the new law to the last years of Henry III. Our 'Praerogativa' then, was compiled after that change.

In its fourteenth chapter we have a story from Henry III's reign. John of Monmouth died; his heir was an alien, a Breton, and King Henry took his land. In the fifteenth we have another story from the same reign. On the death of William, Earl Marshall, his brother and heir, Anselm, entered on the lands that had descended to him without first doing homage to the king; he then died, and it was adjudged that his widow, Maud, daughter of the earl of Hereford, should have no dower, for her husband had entered as an intruder on the king. John of Monmouth I take to be the bearer of that name who died in or shortly before 1257;⁹ he seems to have left as heiresses two aunts, who were of the family of Waleran. The tale about the Marshalls is not quite correctly told by this so-called statute. The inheritance did not pass immediately from William to Anselm; as is well known it came to five brothers in succession, of whom William was the eldest and Anselm the youngest; Anselm died in 1245, and his widow, Maud,

⁷ I cannot pretend to any skill in genealogies, but the story seems to be this: In 1 Edw. I (1272-3) Robert Walrond was dead; his heir was Robert the son of his brother William; Robert was then about seventeen years old (*Cal. Genealog.* p. 194); he was an idiot (*ib.* p. 706; *Rot. Parl.* 196), and from him the lands descended to his brother John, who was also an idiot; after John's death there was a great lawsuit between rival claimants (*Placit. Abbrev.* pp. 309, 310). The date of the first idiot's death I have not ascertained, but it occurred in Edward I's reign.

⁸ Fleta, p. 6.

⁹ *Cal. Gen.* p. 73; Courthope, *Historic Peerage*, p. 325.

died in or shortly before 1252.¹⁰ These stories about what happened in the middle of the thirteenth century would hardly have been very interesting to lawyers in the fourteenth, when they would have been regarded as antiquated illustrations of well-established legal rules. That Edward II's parliament was at pains to tell them I should not easily believe.

We come to the chapter on which Dr. Henderson relies. The king is to have year, day, and waste of the felon's land; the teneement is to be actually wasted. Britton mentions the wasting as a thing of the past; upon this Dr. Henderson founds an argument that the 'Praerogativa' comes from Henry III's day. But why, I must ask, may it not come from the early years of Edward I? Britton did not write until 1290 or thereabouts; at least his book as we have it was not written until then. This leaves some seventeen years during which the change in the law, if change there was, may have taken place, without our being driven to suppose that a document which mentions King Edward was written before his accession.

In Edward III's reign those who held that the 'Praerogativa' was a statute believed it to be a statute of Edward I; but there were others who said that it was no statute at all, but a mere 'rehearsal' of the common law.¹¹ Throughout the middle ages it never obtained an unconditional acceptance as part of the written law of England. In 1475 all the great lawyers seem agreed that it is no statute.¹² Littleton in particular is clear and emphatic. It is an 'affirmance of the common law, for every statute mentions the date at which it was made, but this document is dateless; it is not a statute, no more than the "Dies Communes in Banco," the "Dies Communes in Dote," and the "Expositiones Vocabulorum" are statutes. They are written in our books, but they are not statutes.' Then Littleton tells how 'my lord Markham' had disregarded the words of the 'Praerogativa,' and so, he repeats once more, 'it cannot be called a statute.' What exactly these judges meant when they said that the document was a 'rehearsal' or an 'affirmance' of the common law is not in all cases very plain. But Littleton puts it on the same level with two documents fixing the 'delays' which are to be given in actions—documents which perhaps may be described as 'rules of court'—and with another document which certainly had no authoritative origin—namely, the 'Expositiones Vocabulorum,' a belated and not too intelligent attempt to give some certain meaning to *sake*, *soke*, *toll*, *theam*, and other Anglo-Saxon law words. Littleton very probably thought that great respect was due to the 'Praerogativa;'; it was a venerable statement of common law, and

¹⁰ *Excerpt. e Rot. Fin.* i. 143.

¹¹ Y. B. 43 Edw. III, f. 21 (Trin. pl. 12).

¹² Y. B. 15 Edw. IV, f. 11 (Mich. pl. 17).

perhaps he believed that it had been issued by some person or body of persons having power to make statements of law which should command the respect of the justices; but certainly he did not think that its very words were law as the very words of a statute would be law. Markham had disregarded them, and Littleton was ready to do the like.

Whether it be purely private work or no I will not take on me to decide; it may have been a document issued by the king to his serjeants, possibly to his judges, instructing them as to the king's views of his own rights (at every doubtful point it leans towards royal claims); but at least I think that we ought to agree with Littleton, *ceo ne poet estre dit come un statute*.

F. W. MAITLAND.

THE SUPPRESSION OF THE TALMUD BY POPE JOHN XXII.

My attention has been called by my friend Mr. Neubauer to a passage in a series of articles by Dr. H. Gross on the 'History of the Jews at Arles,' published in the 'Monatsschrift für Geschichte und Wissenschaft des Judenthums,' xxviii. (1879), in which he speaks of the burning of the Talmud as *durch ein päpstliches Decret vom 11. September 1319 für die Provence angeordnet* (p. 547), and cites in evidence 'Baronius, *Annales ecclesiastici*, tom. xv. p. 205, "Decret an der Erzbischof von Beziers."' The style of this prelate and the reference to Baronius at once excited my suspicion, since, as everyone knows, there never was an archbishop of Béziers and Baronius did not carry his annals beyond 1198. Dr. Gross evidently intended one of the latter's continuators, Bzovius or Raynaldus; and the only work, to my knowledge, which includes the year 1319 in its fifteenth volume is the *unpaged* edition of Raynaldus, published at Rome (vol. xv. bearing date 1652). Here, on the back of the last leaf of sheet T, under the year 1320, I find the brief in question.¹ It is addressed to the archbishop of Bourges (*archiepiscopo Bituricensi*), and enjoins him to take various measures for the extirpation of false doctrine throughout his province (*per vestras civitates et dioeceses*). In particular he is to order the Jews to deliver up all copies of the Talmud and its commentaries, and to have these books submitted to examination; such of them as should be found to contain blasphemies or errors are to be burned with fire. The decree thus has solely to do with the province of Bourges.² Had it been Béziers we should still have been some way distant from Provence; and I can only suggest that Dr. Gross confounded the 'province,' though

¹ It is in the standard edition of Raynaldus (ed. Mansi, Lucca, 1750), v. 137-141.

² Mr. H. C. Lea speaks as though it had a more general extension, *Hist. of the Inquis. of the Middle Ages* (1888), i. 556.

provincia does not occur in the document, with Provence. Lastly, as to the date, he has misread *II. non. septembris pontificat. nostri anno IV.* as 11 September, taking the Roman II for an Arabic 11, and seemingly passing by the *non.* as unintelligible. But *II. non.* is a known variant of *Prid. non.*, and the date is 4 September. By this result we are enabled to correct his year. The fourth year of John XXII ran from 5 Sept. 1319 and ended on this very day, 4 Sept. 1320,³ the year under which it is properly given by Raynaldus.

REGINALD L. POOLE.

* Comte de Mas Latrie, *Tresor de Chronologie*, p. 11285.

Reviews of Books

Geschichte Griechenlands von ihrem Ursprunge bis zum Untergange der Selbstständigkeit des griechischen Volkes. I. II. III. Von ADOLF HOLM. (Berlin: Calvary. 1886, 1889, 1891.)

THE plan of this work, three-quarters of which are now before the public, as well as the vigour, judgment, and consistency with which it is being carried out, makes it particularly adapted to the needs of a large number of students. While it is excellent in many ways—the work of a man of wide culture, freedom from party bias, and clearness in thought and expression—its most characteristic feature is the manner in which the most varied material, collected from specialists in many fields, is used in the construction of the historical narrative without overloading it for the general reader or leaving the special student unguided. As far as possible, nothing is stated in the text that is not either certain or worthy of provisional acceptance, while appended to the chapters will be found a collection of notes, some of which swell out into serious dissertations, on the character of the authorities—literary, documentary, or archaeological—and on numerous questions suggested by the text. A specialist himself in some departments, notably in Sicilian history, Dr. Holm shows a remarkable power of assimilating into his work the results attained by specialists of all kinds. With a singular modesty he frequently relegates to his notes striking coincidences between archaeological and literary evidence, new and original interpretations of often-discussed facts, and suggestive historical parallels, such as a less modest historian would have placed conspicuous in his text. The views of later historians are also generally treated in the notes, always in a fair and generous way.

The first volume brings the narrative down to the end of the sixth century, B.C., and so is in great part concerned with preliterate history, and based on archaeological material, the entire significance of which is scarcely as yet determined. This portion of the work is marked by scepticism and caution in matters of fact, and by great constructive power in restoring the life of the past. In the second volume, which comprises the Persian and Peloponnesian wars, with the time between, the treatment is, of course, somewhat different. The chief characters concerned in the historical occurrences are very vividly conceived, and often a new and unexpected light is thrown on them from some neglected considerations. The study of the character of Pericles is particularly interesting. The growth of Athenian institutions is studied with a view not only to their legal form, but to their practical working. There are, in the notes, critical examinations of the credibility of Herodotus and Thucydides, the sources of Plutarch, Diodorus, &c., and some most instructive applications of numismatical results (obtained by Mr. Head and others) to the relations of Athens with her allies, and to the condition of the cities of Magna Graecia during the latter part of the fifth century. The chapters on

literature and art are closely connected with those that treat of the other departments of national life, and there is a general geographical description of the six 'circles of culture' into which the Greek world was divided at that period. The third volume is carried out on the same lines, and goes down to the death of Alexander. One of the points in which Dr. Holm differs from most of our historians is in his generally unfavourable estimate of the character of Demosthenes. The thoroughly Hellenic character of Alexander and his schemes is placed in a strong light, and the authorities on which Grote's views are based are not held to be worthy of much respect. At the end is a useful dissertation on some leading terms of Greek jurisprudence and politics. The language and style of the work are not showy, but clear, terse, and occasionally epigrammatic.

Alice Gardner.

Les Communes Françaises à l'Époque des Capétiens directs.

Par A. LUCHAIRE. (Paris: Hachette. 1890.)

M. LUCHAIRE does not claim to have produced a work of great erudition, but rather to have attempted to popularise the results of the researches of many labourers in the field in which he has himself won distinction. His book is an admirable one; it is clear, convincing, eminently reasonable, not overloaded with learning but showing everywhere a mastery of details. Originally delivered as lectures at the Sorbonne, it is to be commended to students of English history as well as to those for whom it was written. What was a commune? What position did a town with a communal constitution occupy in relation to the state and to the feudal organisation of society? These questions have probably never been so clearly answered as by M. Luchaire. His criticisms of the theories of Kluckhohn, Sémichon, Wauters, Thierry, and Guizot are forcible; but he is far from undervaluing the work of his predecessors, and his recognition of the work of MM. Lefranc ('Hist. de Noyon,' &c.) and Giry ('On the Communes of S. Quentin, Rouen,' &c.) is generous and just.

Three points may be chosen for special mention out of the facts which M. Luchaire's book makes clear. First, the aristocratic character of the communes and the oligarchic nature of their government. He shows how false was the contrast drawn by Guizot between the Roman municipalities and the medieval communes, and thus explains what in writers of Guizot's school seemed inexplicable—the hostility of the people to the corporations and the fact that the kings' subjugation of the communes in the fourteenth century was welcomed by the democracy.

The second point of interest is the feudal position of the commune. '*Que la commune soit urbaine ou rurale, qu'elle ait été, à l'origine, le produit d'une insurrection ou de la libre concession d'un seigneur, du jour où elle possède une certaine part de juridiction et de souveraineté, elle cesse d'appartenir exclusivement à la classe populaire; elle entre dans la société féodale. En effet, si l'on considère la provenance et la condition de chacun de ses membres pris individuellement, la commune reste un organe des classes inférieures; envisagée dans son ensemble, en tant que collectivité exerçant par ses magistrats, dans l'enceinte de la ville et de sa banlieue, des pouvoirs plus ou moins étendus, elle prend place parmi les états féodaux. Elle est devenue une seigneurie.*' These two facts, the oligarchic and oppressive character of the communes and the definite position which

they assumed in the feudal constitution of the country, go far to explain the third point, on which M. Luchaire enlarges at some length—the hostility of the church towards the communal movement. The evidence scarcely warrants the stress that M. Luchaire lays on the irreligious and anti-catholic attitude of the towns or the selfish jealousy of churchmen. Both these causes were, no doubt, in operation in different degrees, but more powerful probably as governing the policy of the popes and the French church as a whole, was the position of the communes, hiding oppression under the guise of liberty and part of the great system of feudalism with which, after all is said, the church never really sympathised. We may add, as a further point of importance in M. Luchaire's book, his lucid treatment of the financial questions—i.e. his proof that the communal charter was concerned more than anything else with the settlement of the limits of the power of the seigneur, in which the matter of imposts and dues was more important than that of jurisdiction, and his illustrations of the semi-bankrupt condition of the towns at the end of the period of which he treats, which at once permitted and justified the royal interference.

W. H. HUTTON.

Ancient Charters, Royal and Private. Part I. Edited and annotated by JOHN HORACE ROUND, M.A. (London: Pipe Roll Society. 1888.)

THIS volume consists of sixty-nine original charters, ranging in date from 1095 to 1199, preserved in the public record office. Some of these have already been published elsewhere, but Mr. Round justifies their being reprinted, because 'here alone will the student secure a perfect text and be saved, by the use of record type, from the perils of extended abbreviations.' Though 'record type' is an eyesore to many people, and a grievous tribulation to more, its use in these early charters is to be commended on the ground of their importance for historical and philological purposes, and because its use imposes a salutary check upon the carelessness of editors. Mr. Round informs us that he has 'not personally undertaken more than the notes and the headings to the charters,' so that for the accuracy of the texts we have to rely upon the unnamed transcribers. This is an unfortunate division of responsibility, which seems to account for several apparent errors in the work as printed. The *compendia* for *quam*, *unquam*, *quamdiu*, &c., are invariably printed as *q^a*, *unq^a*, *q^adiu*, *nunq^a*, *aliq^a*. As it seems unlikely that the usual stroke over the superior *ā* is omitted in the manuscripts in every case, one must assume that its omission in the printed text is the fault of the printers, as appears to be the case in forms like *qⁱcqⁱdi bidem* (*quicquid ibidem*, p. 13), *de Petro ponto* (p. 5), and *halimeto* (p. 81). If these words are undoubtedly so written in the manuscripts they should have been noted as errors. So also with *Bascheruulla*, *Turbtuulla* (but *Tancuilla*) in No. 6; *Amundulla*, No. 23; *eliñ* [= *Eliensis*], No. 57. On the other hand *sic* is appended to *carruata* at p. 13, which is only a more imperfect latinisation of O.F. *carruée* than is *caricata*. The transcriber is probably answerable for *Ailenetona* (p. 36 bis) for *Aileuetona*, as there are scores of similar perversions of O.E. names in *-gifu* in the publications of the Record Commission, &c. Mr. Round appears to be responsible for the singular note at p. 4, that 'the word *et* is represented throughout this document by a sign similar to the diphthong *æ*, which seems to be an early form of &.' This sign,

which arises from a ligature of *e* and *t*, can be traced back many centuries prior to the date of the charter to which this note is attached.

Turning to Mr. Round's share of the work, his annotation, which is at once historical, genealogical, and general, is deserving of the highest praise. His labours are not to be estimated by the results achieved, for the facts and points established in work of this description bear a very small proportion to the time expended upon researches that have led nowhere, and have therefore left no record. When one is spending days of fruitless research over such work it is no wonder that the discovery of a good point tends unduly to elate one and cause the importance of the find to be magnified to one's mental vision. This may be traced in some of Mr. Round's notes, whilst he sometimes records 'elaborate enquiries that have failed to enable him to fix the exact date' of a deed. The tendency to exaggerate the importance of a record is illustrated by Mr. Round's remark to No. 17 that it 'is introduced here as an illustration of history,' the point being that it supports Robert of Torigny's assertion that Innocent II visited Henry I at Rouen after Easter 1131. But the deeds in Jaffé's 'Registrum,' Nos. 7472, 7473, 7476, already give Robert of Torigny sufficient support. Similarly, in the note to No. 1, Mr. Round says that 'Roger [*sic*] de Lacy (of Pontefract) . . . we learn from this writ, had succeeded his father, Ilbert, before 1100.' But Dugdale, 'Baronage,' i. 99, long ago cited a confirmation *ex autographo nuper in castro de Pontfract*. to him from William Rufus of his father's lands. The unfortunate slip here of 'Roger' for 'Robert,' as he is correctly called in the charter itself, surprises us in coming from a writer who has shown so little mercy to the mistakes of others. And it does not stand alone, for at p. 92 we have Gerard of Camville referred to as Richard; p. 2, the date 1195 is obviously 1095; and, more serious still, at p. 10 the mark of silver is regarded as being worth only 6s. 8d. Mr. Round says that 'Richard [*read* Gerard] de Camville quarrelled with Longchamps in 1191, and was besieged by him at Lincoln,' but he was at this time engaged with earl John in reducing the castles of Tickhill and Nottingham (Rich. of Devizes, p. 30; Roger of Howden, iii. 243).

English genealogists have an incurable habit, inherited from their Elizabethan ancestors, of converting every 'filius' into 'Fitz.' In the twelfth century such names have no claim to be considered as family names, and names in 'Fitz' were never common at any period of English history. Mr. Round in the present volume partly avoids one extreme of this strange English custom by speaking of 'Geoffrey fitz Piers' (p. 98), but we regret to see the thoroughly English 'Eadward son of Ælfward' translated as 'Eadward fitz Ælfward' (p. 27). It is even worse to convert the equally English Sigefrith, bishop of Chichester, into the impossible 'Seffried,' for, if the name is to be germanised, it should be 'Siegfried.' It may be more a matter of opinion whether Eyton's hideous coinage, *conquestual*, shall be used, but we cannot but regret that Mr. Round gives it countenance.

Mr. Round encloses the presumed dates of undated charters within brackets. This is convenient, but it is strange that dates which are actually found in the charters themselves—even in cases where the year is expressed in Roman figures, in which case there can be no possible doubt on the point—should be similarly included. W. H. STEVENSON.

Court Life under the Plantagenets. By HUBERT HALL.
(London : Swan Sonnenschein and Co. 1890.)

MR. HALL has set himself to give us a truthful picture of a past phase of national life, and his extensive knowledge of details in regard to the condition of English society under Henry II renders him well fitted for the task. At the same time his book might have had a much higher value if he had kept clearly before him the class of readers for whom his work was intended. Considered as a novel, which may interest the general reader, it must be pronounced a failure. There is no attempt at a plot and very little at the delineation of character. There are all the materials for an excellent novel ; the fullest attention has been given to the setting of the piece, the painting of the scenery, and the properties ; but there is no passion in the actors, and indeed there is no drama. On the other hand, the materials which he has collected may be most instructive to many historical students in enabling them to visualise the scenes and conditions of which they read ; but, while they will be thankful for what he has done, they will regret that Mr. Hall has not enabled them to pursue the matter further by giving in detail the authority on which he relies for the various incidents and allusions. It is to be feared that, from a desire to cater for the general reader, Mr. Hall has omitted the detailed references which would have rendered his book of great value to the student.

The successive scenes, which are strung together by a somewhat slender thread, are vigorously drawn, and the excellent reproductions of contemporary illustrations are a welcome addition. There are, of course, some phases of Plantagenet life with which Mr. Hall is in strong sympathy and about which he writes with more vigour ; he is too good a sportsman not to do full justice to the excitement of hawking. On the other hand, he has less interest in the learning of the time, and is inclined to sneer at those who pursued their studies under difficulties and by the only methods which were available, when printing was unknown, and writing materials were too valuable to be wasted on written examinations. His reading of John of Salisbury ought to have taught him that dialectic is a powerful and valuable instrument, though it may come to be a futile pursuit if it is followed for its own sake.

But even if the book is not equally good throughout it is so excellent in intention, and contains so much that is valuable, that one may venture to hope that a second edition will soon be called for, and that Mr. Hall will then throw over the general reader altogether, and let students have the full result of his researches in a form which is more worthy of himself.

W. CUNNINGHAM.

Historia Bibliothecae Romanorum Pontificum, tum Bonifatianae, tum Avenionensis, enarrata et antiquis earum Indicibus aliisque Documentis illustrata a FRANCISCO EHRLICH, S.J. Tomus I. (Romae : Typis Vaticanis. 1890.)

THE history of the Vatican library is a work of supreme importance. No other library in Europe can compare with it in continuity, and the collection of its records forms in itself a history of European learning. The investigation of the earliest period of the records of the Vatican

library to the year 1295 has already been undertaken by De Rossi; and despite the labours of Delisle, Father Ehrle begins where De Rossi ended, and continues this great subject with such accuracy and thoroughness as to give his book a monumental completeness. The volume before us is supplemented by researches which have appeared in the 'Archiv für Litteratur- und Kirchengeschichte des Mittelalters,' where points of detail have been discussed at length. Even when thus lightened a substantial quarto of 800 pages only suffices to trace the history of the papal library through a portion of the fourteenth century. This period is divided into two well-marked divisions. One treats of the library of Pope Boniface VIII, the other treats of the library at Avignon. From the time of Boniface VIII the records of the papal library first become continuous. The papal books formed part of the *thesaurus ecclesiæ*, which was under the care of the chamberlain, and was carried from place to place wherever the pope took up his abode. It was at Anagni when the attack was made on Boniface VIII, and doubtless suffered from pillage. Benedict XI transferred it to Perugia, where the books remained when Clement V transferred the curia to Avignon. Luckily the careful citizens of Perugia drew up a catalogue in 1311, when Clement wished to reclaim his deposit. Part of the books were carried to Lucca on their way to Avignon, and were destroyed in a civic rising in 1314; the rest were transferred for safe keeping to the church of St. Francis at Assisi, whence the popes made many endeavours to recover them. These attempts led to three inventories being drawn up, which have been already published by Father Ehrle in the 'Archiv für Litteratur- und Kirchengeschichte.' It is, therefore, only necessary for him to print the Perugian catalogue of 1311, which contains 645 entries, amongst which are thirty-three Greek manuscripts. This library was surpassed in number of volumes only by those of Canterbury and the Sorbonne. However it has almost entirely disappeared, and Father Ehrle's diligence can identify very few of its possessions as now existing either at Assisi or in the Vatican.

The papal library was practically begun afresh at Avignon by Pope John XXII, and Father Ehrle has gathered together the records alike of purchases and of books acquired *jure spoli*, i.e. from the goods of prelates who died at the papal court. Of this collection there are two catalogues, one made in 1369 and the other in 1375. We may remark that Father Ehrle has made the catalogues which he prints easily available for reference on any point by appending to each an alphabetical index of authors. The total number of books in the Avignon library in 1375 was 1,667; and the character of the collection shows that it was selected for the study of theology and law, and did not deviate much into the region of general literature. Father Ehrle has not contented himself merely with the publication of catalogues. He has discussed every question relating to the formation and use of the library which his authorities have enabled him to throw any light upon. Further, he has gathered together notices of the building of the papal palace at Avignon, and has given the first accurate history of that mighty structure. His book is full of incidental information on many points connected with the history of the Avignonese popes. It is difficult to speak too highly in praise of the method and the thoroughness which make this volume a worthy memorial of its subject.

M. CREIGHTON.

The Hansa Towns. By HELEN ZIMMERN. (*The Story of the Nations.*) (London: T. Fisher Unwin. New York: G. P. Putnam's Sons. 1889.)

THE Hanseatic league never constituted a nation, nor anything like a nation, in spite of Miss Zimmern's use of the misleading and awkward term 'Hanseatics' to describe the members of the league. It was a federation of towns, not of the inhabitants of the towns; and it was the loosest of federations, united only for mercantile interests, and hardly attempting to interfere with local government or affairs. But the league has a 'story' as interesting as that of many nations; and so little of it is known to the ordinary English reader that it would be churlish to quarrel with the present volume simply because it is out of place in this particular series. A more serious criticism is that a history, which recent research has hardly yet made fully intelligible, should have been intrusted to an authoress whose interests are apparently rather literary than historical. Not that Miss Zimmern has not collected much material for her book, nor that she makes serious blunders in the treatment of her special subject, but the knowledge seems to have been acquired *ad hoc*, and there is a lack of that mastery of historical perspective which can only be obtained by long and careful preparation. No historian would adopt the journalist's current phrase that the condition of Ireland is to be explained by a survival of the feudal system (p. 3), which has no more to do with modern Ireland than it has with the problems of Indian finance. And surely the blunder has been sufficiently exposed that Charles the Bold was 'a declared foe to all liberty,' or that he wantonly attacked 'the Swiss people, who were striving to gain their national independence' (p. 170).

But these errors, which are by no means isolated, have little to do with the history of the Hansa towns, which is the main topic of the book, and which is far better and more accurate than the references to the general history of Europe. But even here the treatment is singularly unequal. No doubt the origin of the league is wrapped in considerable obscurity, but much more is now known of it than Miss Zimmern would give us to understand. It is perfectly true, as she says, that the union of German towns gained its first impulse from the unions of German merchants in foreign countries; but it was the union in London, and not that at Wisby (p. 26), which exercised the chief influence upon the home governments. No mention is made of the combination against the exclusive pretensions of Cologne, or of the special alliances between Lübeck and Hamburg to protect the land route between the Baltic and the North Sea, which did much to give consistency to the early town league.

The history of the league at the time of its greatness is quite as slightly touched upon as the history of its origin. Only one episode, the great war with Waldemar Atterdag, is narrated with any fulness, and the history of the fifteenth century and of the efforts to undo the union of Calmar is altogether neglected. The chapter on the organisation of the league is also disappointing, especially considering how much has been

done of late to collect and publish the *Recesse* of the Hanseatic diets. On the other hand, there are some excellent chapters on the factory at Bergen, on the trade with Russia and the Netherlands, and on the steel-yard in London. But it seems not a little misleading to describe the privileges of the Hanse merchants in foreign countries as 'rule' or 'dominion' (p. 309 *et passim*). Also the Italian trade (pp. 175-8) was wholly in the hands of the south German towns, which had nothing to do with the northern Hansa and had no similar combination among themselves. Some inconsistencies seem to have been allowed to remain, which might be removed on revision. Thus on p. 16 we hear that the German merchants received privileges in England in the tenth century, *viz.* in the days of Edgar. But in the chapter on the steelyard we are told that the earliest special favours were accorded to Cologne by Richard I. Again, on p. 181 the 'Hanseatic Rothschilds' are represented as great lenders of money to Edward I and his successors, whereas on p. 201 we are informed that 'the Italians were exclusively occupied with financial transactions, while the Germans devoted themselves exclusively to mercantile affairs.'

The last part of the book, which describes the decline and fall of the league, is by far the fullest and most satisfactory. Perhaps insufficient stress is laid upon the great geographical discoveries, which deprived the Baltic, as they did the Mediterranean, of much of its previous importance. But an admirable account is given of the part played by Lübeck in the Scandinavian troubles that followed the 'blood bath' of Christian II, of the brilliant episode of Wullenweber, of the gradual failure to retain the monopoly of the Baltic trade, and of the ruin of the Hanse factories in Bruges and Antwerp. Internal disunion, the want of manufactures to supplement a declining commerce, the advance of Sweden and Russia to ascendancy in the Baltic, above all religious conflicts and the growing power of the German princes, were fatal to the Hanseatic league, which hardly survived the thirty years' war.

There are some minor defects, which disfigure a book which is so vigorous and dramatic that it is sure to find, as it deserves, many readers. The style is too pretentious, though it rarely degenerates into such grammatical obscurity as is to be found on p. 4. Misprints are far too numerous, though most of them are of slight importance. Gotthard Kettler was not grand master of the Teutonic order, which came to an end in 1525, but of the subordinate order of the Sword, which became independent on the formation of the secular duchy of Prussia. The index is the worst thing in the book, and has been hastily compiled with an ignorance and incompetence that would be astounding if they were not too common in the case of professional index-makers.

R. LODGE.

Church and State under the Tudors. By GEORGE W. CHILD, M.A.
(London: Longmans, Green, & Co. 1890.)

THE author in his preface says that his work has been written because of the large amount of new material that has been brought to light in recent years by the publication of state papers and other original documents; because the learned and able writers who have used these sources are

read almost exclusively by students *ex professo*; and because some writers exhibit a strong party bias. Mr. Child may possess the qualification of impartiality, but he gives it perhaps too high a place in the list of an historian's requirements. Impartiality does not make up for an absence of learning—the impartiality that comes of ignorance is worthless. If Mr. Child's three-sided apology were necessary, he has not justified the existence of his book. He makes no use of original documents hitherto unused. Even his appendix of illustrations from contemporary authorities is a mere reprint from Burnet or from Bishop Stubbs's Appendix (IV) to the Report of the Commission on the Constitution of the Ecclesiastical Courts, published in August 1883, a source elsewhere repeatedly acknowledged. The appendix is mainly taken up with over one hundred pages of reprinted statutes, very easily accessible in the numerous editions of the statutes at large. The act concerning the payment of annates to Rome, though omitted from the earlier, is found in all the modern editions. The promised references to published contemporary sources for the 'speeches, letters, and deeds of the actors in the events narrated' are few and far between. For what he calls 'the ordinary facts of history' Mr. Child says he has 'had recourse to recent and accredited historians—to Hallam, Bishop Stubbs, Mr. Froude, Mr. Green, and others.' The 'others' may be reduced to a very short list, and we cannot suppose the historical appetite of the 'ordinary reader' to be so capricious that he should refuse the works of historians of this varied calibre, and greedily devour by preference Mr. Child's 430 pages.

Mr. Child has chosen for his guide in his Introduction Bishop Stubbs's Appendices of 1883. When he drops his pilot he appears also to lose his compass. He represents the Great Schism as taking place at Avignon (page 35). In a footnote he criticises his guide unsuccessfully. Bishop Stubbs (*Const. Hist.* iii. p. 51, ed. 1878) speaks of the death of Archbishop Scrope as a 'judicial murder.' Mr. Child, who is nothing if not impartial, accuses the bishop of clericalism. The charge is not warranted by the guarded language of the passage, which lays stress on the legal question in the case of Mowbray, and on the following page Bishop Stubbs practically withdraws the charge of murder by admitting the act 'to be the sign of a mind and moral power already decaying, rather than a sin which called down that decay as a consequence or a judgment.' Though Mr. Child can on occasion be thus watchful, he is not aware that his often-quoted Report and Appendices have been attacked with virulence and some cogency for this very offence.

One of the chief points of Chichele's career is missed, and it works to some extent against Mr. Child's view of the nullity of the anti-papal statutes. Pope Martin V ordered him, when archbishop, to procure the repeal of the Statutes of Provisors; Chichele failed to obtain it, and the pope accordingly suspended him from his legatine office.

The absence of prejudice which he claims as a layman in judging ecclesiastical institutions is laid aside when the author judges persons. He has a clearer idea of the objects of Thomas Cromwell than most persons are privileged to possess. In speaking of Clement VII no words he can use are sufficiently severe. He is the most despicable character of the whole sixteenth century. Of the rightfulness of Catherine of Aragon's

divorce he is absolutely convinced ; ' in fact and in law she never was the lawful wife of Henry, and the Princess Mary was *ab initio* illegitimate.' Mr. Child merely states these things for what they are worth, and thinks he must be followed by any one ' who makes the slightest pretence to impartial judgment or to any capacity for weighing evidence,' though he adduces no evidence whatever. On page 99 he admits that there was dirty work to be done in finding pretexts for it. On one page he calls the divorce of Anne of Cleves the most scandalously unrighteous of all Henry's divorces; on another he says Cranmer did what every just judge would have found himself compelled to do in decreeing it. Which were the other unrighteous divorces, in Mr. Child's opinion, it is impossible to say, for from page 79 it appears that he thinks Anne Boleyn's divorce justifiable. Pages 165 to 167 are indeed a collection of confused and contradictory assertions.

Mr. Child does not wish to inquire particularly into the miserable affair of the dissolution of Henry's marriage with Anne Boleyn, yet he inserts a note in his appendix as to the date of her marriage with Henry, while unaware, apparently, of the work done in this field by Mr. Friedmann. He passes a sweeping judgment on Cardinal Pole (pages 141, 154). Historians have been 'unaccountably lenient' to him in the opinion of our author; but there is no trace whatever in this work of any intimate knowledge of the man. The chapters on Elizabeth are distinctly the best part of Mr. Child's book, for here, fortunately, Burnet to some extent deserts him, and he has recourse to Strype. Yet he appears to be under the impression that all the Marian bishops were 'deprived or in process of deprivation' in the first year of Elizabeth, and he seems to regard the choice of Matthew Parker for the see of Canterbury as a result of a 'deprivation.' Mr. Child has not observed where the hand of death was laid.

There is a good note on Orders in the Church of England, which gives promise of better work in the study of the next century, which Mr. Child hopes to pursue. The note on the corruption of the clergy in the sixteenth century sheds no fresh light. He peremptorily demands indeed the publication of the visitations of Archbishops Morton and Warham (by a Roman Catholic editor for choice), yet he appears to be in ignorance of the fact that he may find scope for the formation of opinion on the state of several monasteries and nunneries in Dr. Jessopp's volume, published by the Camden Society in 1888, on the visitations of the diocese of Norwich.

MARY BATESON.

The Swedish Revolution under Gustavus Vasa. By PAUL BARRON WATSON. (London: Sampson Low, Marston, Searle, & Rivington. 1889.)

MR. WATSON is happy in the choice of his subject; for there can be no doubt that fresh materials for the history of what he quite appropriately calls the Swedish revolution under Gustavus Vasa have been, and still are, accumulating. Thus the bibliography at its close gives a certain value to this volume, which many a student will thankfully recognise, and the footnote references to the earlier volumes of the king's *Registratur*, as

well as to the other state-papers, may save much trouble to those who are willing to follow in the present writer's track. Moreover, these pages contain some welcome numismatic illustrations, as befitted any record concerning so notorious a sinner against the coinage. On the other hand, the introductory portion of the work is deficient in the clearness without which such chapters are apt to prove a burden to others besides the 'general' reader; the genesis of the patriot party, for instance, is very perfunctorily explained, and there is obscurity in such a remark as this: that 'the very name of regent, which was granted to Sten Sture, bears witness to the popular character of the movement' headed by him. In the body of his narrative the author has but imperfectly succeeded in transplanting himself, and with him his readers, into the times and country with which his studies have familiarised him; and (which is more surprising), although, as he justly observes, no historical process ever centred more completely than the political and religious transformation of Sweden in the person of a single man, he has hardly added a living touch to the picture of the liberator as he stands before us in the monumental pages of Geijer. It may be conceded that Gustavus himself was, 'judged by any rational standard, an abominable writer;' and Mr. Watson may be congratulated on his abstinence from any attempt to manipulate, in the too well-known manner of 'readable' historians, the letters, from which he has only here and there ventured on an extract. But surely in the earlier half of his volume, the narrative of so much stirring adventure, enveloped though its traditions may be in the legends in which a patriotic people has preserved the story of its liberation, might have been lit up by something better than the descriptive rhetoric here vouchsafed. For an example of the latter I content myself with referring to the opening of chapter iii., which furnishes a picture of Gustavus at the time of his escape from Jutland, in the least tolerable bastard-romance style. There are, by the way, some trifling discrepancies between this portrait and that drawn by Peder Brahe; but as to these, Mr. Watson, who has no doubt carefully studied the subject at Gripsholm and elsewhere, probably has chapter and verse. In conformity with a long note at the beginning of his narrative, he insists upon Gustavus having been at this time (the autumn of 1519) in his twenty-fourth year; and though he is not the first to have established the point, he has made the proof complete by a reference to the date of the marriage of Gustavus's grandmother. Less praise can be given to the concluding page of Mr. Watson's book, where a comparison between his hero and Washington is dragged in, as the saying is, by the hair of the head, and regret is expressed that the former did not proclaim a Swedish republic. Elsewhere, too, the writer's anti-monarchical and anti-Roman feelings have found quite superfluous expression; but I leave him to reconsider these vivacities when he expands his present sketch into the larger work for which he has so assiduously prepared himself. His Americanisms may (who knows?) by that time have become part of our common tongue, and his English readers may no longer be in doubt as to the meaning of such vocables as 'dickering' and 'disgruntled.' I would venture to commend to him in the interval a closer study of Hanseatic history, as to which he writes rather loosely. Waitz's *Wullenwever* (not mentioned among the 'aids' enumerated in the

Bibliography), although the main action of its story lies in both time and place beyond Mr. Watson's scope, would be serviceable to him in constructing a fuller account of the struggle between the Baltic powers, and might perhaps temper with something besides compassion his 'gory' conception of Christian II.

I had noted some other exceptions of details : but I prefer to commend, as the most valuable portion of Mr. Watson's book, and that in which he has made the most effective use of his materials, his account of the beginnings of the Swedish reformation. He makes it clear enough (though, of course, no doubt can be said to have rested on the matter) that in the first instance the 'plundering' of the church (the official term) was the motive of Gustavus's revolt against Rome, and that this spoliation, of which the nobility was allowed a large share, was rendered imperative by the Lübeck debt. Before long, no doubt—as Mr. Watson plausibly puts it, from about the year 1525—when he ordered the translation of the Scriptures into the vernacular, curiously enough entrusting the work to the bishops, of whom Brask was one, and other higher clergy, his opposition to the established system assumed a broader ground, and the ordinances of Vesterås, if rather rhetorically described as 'the touchstone of the modern Swedish faith,' amount to much besides an act of supremacy. The least transparent part in these transactions was played by the representatives of the burghers and peasantry, of which classes, apart from the insurrection of the Dalesmen, the attitude seems to have been doubtful. Possibly this circumstance may go some way to explain the experiments afterwards attempted upon the passivity of the people by Gustavus's son John. Mr. Watson breaks off his narrative with the coronation of his hero ; but in a wider sense of the term, the revolution effected by Gustavus was not confined to the overthrow of foreign dominion in church and state. Unlike some of the most famous of his successors, he was a man of constructive genius ; and much that was both new and lasting in the organisation of the land-culture, industry, and trade of Sweden dates from the later years of his memorable reign.

A. W. WARD.

Ecclesiae Londino-Batavae Archivum. I. Abrahami Ortelii et virorum eruditorum ad eundem et ad Iacobum Colium Ortelianum epistulae. Cum aliquot aliis epistulis et tractatibus quibusdam ab utroque collectis. (1524—1628.)

II. Epistulae et Tractatus cum reformationis tum ecclesiae Londino-Batavae historiam illustrantes (1544—1622). Ex autographis mandante ecclesia Londino-Batava edidit J. H. HESSELS. (Cantabrigiae : typis academiae sumptibus ecclesiae Londino-Batavae. 1887—1889.)

THESE valuable series of autograph letters of the sixteenth and seventeenth centuries, belonging to the Dutch church of London, consist of, firstly, three hundred and seventy-six letters of Abraham Ortelius, the celebrated Antwerp geographer (1528—1598), and of his learned friends and patrons, with those to and from his nephew Jacob Cool, surnamed Ortelianus, a learned merchant stranger of London. To these letters are added some others from Erasmus, Albrecht Dürer, Scaliger, &c., collected by Ortelius and Cool. Secondly, two hundred and eighty-one letters connected with the history of

the foreign churches of England and of their members, chiefly, however, of the Dutch church of London.

The first portion of these letters, contained in the first volume, came into the possession of Cool on the death of his uncle in 1598, and when the former died in 1629 passed into the keeping of the consistory of the Austin Friars church, where the letters were carefully preserved with its other valuable archives until 1866. In this year they were deposited, together with its important library of MSS. and printed books, in the Guildhall library, London, having been fortunately saved from destruction by fire in 1862, when the interior of this church was consumed.

The first volume of the '*Archivum*' is perhaps of the greater interest to the general reader, as the letters contain more particulars of history, general and ecclesiastical, literature, geography, bibliography, natural history, numismatics, and the fine arts of the period 1524-1628. The letters in the second volume are, however, of great consequence for students of the history of the Dutch and French churches of this country, and also of the protestant reformed churches abroad. In the time of the troubles in the Netherlands under Philip II tens of thousands of the Netherlanders who had embraced the teaching of Calvin abandoned their houses, their fortunes, and even their wives and children, flying for refuge to England, Germany, and those states of Holland which became free, to preserve as best they could their lives and their religious liberty. Ortels remained in the Netherlands, adhering openly to the Roman faith and the king. Things were made right for him by his friends at court, but he was advised from Spain never to speak of the Inquisition, but, if forced by circumstances to do so, to speak well of it. He must have passed safely through the terrible days of the Spanish fury at Antwerp in 1576. These are minutely described in a letter of Geraert Janssen to Jacob Cool the elder. All, except those of the Spanish nation and a favoured few, were pillaged and held to ransom, thousands losing their lives by the insensate action of the mutinous Spanish troops.

An insight is given in these volumes into matters which have evaded the research of many. In these latter days there are able historians, such as Baron Kervyn de Lettenhove and Edmund de Coussemaker, who have endeavoured to whitewash Philip II and the duke of Alva, throwing odium on the ministers and followers of the reformed religion in the Netherlands by representing these as brigands and assassins, backed up in misdeeds by men and money sent by the refugees in England. The evidence given in the '*Archivum*' proves clearly that the aid asked for by the prince of Orange, and freely given through the foreign churches in England, was of a legitimate character. The men sent as soldiers and the money were used not in Flanders, as represented by these writers, but in the northern portion of the Netherlands to wrest the provinces there from the tyrannous rule of the king.

The correspondents of Ortels wrote in a gossiping way many details of general history, such as of Drake's, Hawkins's, and Pitt's expeditions in 1580, the early wars of Russia, the irruptions of the Turks into Podolia and Moravia, voyages to discover the north-west passage, and the troubles of the Low Countries, France, and Italy. Camden wrote in 1586 that Sir Richard Greenville was preparing for another voyage to Virginia,

where he had left a small colony of Englishmen in the previous year. Those who remained in the Netherlands could not realise the safety and growing prosperity of England. Ortels wrote to Emanuel van Meteren in 1586, 'I do not think English affairs are as prosperous as your letters indicate; the English pet themselves a little too much.' Even in the present day there may perhaps be a feeling abroad that we still think somewhat too much of ourselves.

It would be interesting to learn more of the Quixotic idea of our James I to unite Christendom in one faith. Sir Henry Wotton was sent to Venice by the king on a secret mission for this purpose. Letters of Philippe de Mornay, sieur du Plessis, of Marc Antonio de Dominis, the reforming and apostate archbishop of Spalatro, and of Dr. Joseph Hall, then dean of Worcester, show that they also were engaged in this scheme. We are not told who was the 'head of the gymnasium' for whom arrangements were made in February, 1619, to meet at Augsburg the princes and representatives of the cities of the league and of the United Netherland provinces. Wotton, provided by the king with letters of credit and all proper instructions, was commissioned to request in the name of his majesty the concurrence of the princes and other representatives at this proposed conference. De Dominis, we know, had written to the states-general of the United Netherlands from London on 1 Jan., 1618, on the subject of bringing to an end the unhappy disputes concerning religion, which he said would be 'to the visible benefit not only of your religious but civil affairs.' He represented that it was 'an ill thing to break an ancient and thoroughly settled union on account of new opinions.' He had written previously, 17 Aug. 1617, 'that they ought to ask the advice and inquire into the opinion of all the reformed churches concerning these differences,' on which he offered his advice. A learned divine of the reformed church of France had been sent by Henry III to England on this subject in 1617, which was discussed by King James and his council; but this was done secretly, so as not to create suspicions which might disturb the repose of Christendom. The idea, then, was to have a conference or synod of the heads of the Calvinist and Lutheran churches. It was probably his advocacy of a general faith which caused James I to make De Dominis dean of Windsor. It was feared by the rulers of England, France, Holland, and Germany that the differences of religion might jeopardise political security. Mornay du Plessis wrote 'that schisms in the church often cause divisions in the state, since different opinions in religion easily degenerate into civil factions.' Wotton's letter from Venice, dated 3 Sept. 1618, shows that the resolution of James I was come to on the 5 Aug. preceding. His majesty was unwilling that the head of the 'gymnasium' should come too soon to his court, for fear of stirring up more noise than would be convenient at the beginning of such a business. Dr. Hall considered the scheme an impracticable one; writing to De Dominis in February 1622, he expressed his opinion that 'the Roman church must utterly renounce herself, or the object can by no means be achieved.' 'What, then, is our hope that, after the stubbornness of so many years, papists will renounce their dearest errors?' King James's speech to his first parliament must have somewhat hampered this business. With regard to those of the Roman church, he declared

himself 'a friend to their persons, if they be good subjects; so I am a vowed enemy and do denounce mortal war to their errors. . . . So will I never cease as far as I can to tread down their errors and wrong opinions.' Sir Henry Wotton found that the English king was little regarded in Germany and elsewhere abroad, and brought back to England, on his return, only general expressions of opinion.

The various points touched on by the writers of the letters in the second volume of the 'Archivum' add to the particulars handed down by Symeon Ruytinck, minister of the Austin Friars church, in his detailed history of the 'Dutch Nation and Church' in England, A.D. 1304-1620, the manuscript of which is in the Dutch church collection at the Guildhall library; this was continued to the year 1625 by Caesar Calandrinus, and to 1628 by Aemilius van Culenborgh, other ministers of the same church. After these writers John Southerden Burn was the first to write anything specially on the history of the foreign churches in England, which, although Calvinist as a rule, appear to have been from the reign of Elizabeth within the pale of the church of England. These volumes of the 'Archivum' afford new details concerning this position. The first foundation of these foreign nonconforming churches was with the full knowledge and licence of the crown and the dignitaries of the English church, and their continuance was permitted when all other nonconforming communities were rigorously suppressed.

We learn that in June, 1550, Joannes a Lasco wrote to Bishop Hooper to ask him to meet the principal members of the Dutch and Walloon strangers at Utenhove's house, in London, at eight in the morning, so that they might all return to A Lasco's home with Hooper to dinner, and devote the rest of the day to conversation concerning their religious position. The nave of the Austin Friars church had been granted to the strangers on 29 June, and letters patent of the king were issued on 24 July, which was the charter, confirmed by succeeding sovereigns, which permitted the alien nonconforming churches to exist in this country. At the first the foreign church was under its own superintendent, A Lasco, but on its re-establishment on the accession of Queen Elizabeth it was insisted by the privy council that the Dutch or mother strangers' church should not be a *corpus incorporatum politicum*, but that it must be under the superintendence of the bishop of London. It appears that it was the proposal of Godfridus Wybo in 1569 (the practice of which did not long continue) that the ministers of the Dutch, French, and Italian churches of London, with their elders, should assemble monthly with some chief ministers of the English church, to consider all important matters that could not be decided in their particular churches; also that serious difficulties should not be settled without consulting their superintendent, the bishop. Bishop Grindal ever exercised a benign rule over his foreign flock, but his successor, Edwin Sandes, was not to the liking of the strangers, and the assertion of his authority over them caused much bitterness. The privy council instructed this bishop in 1574 to inhibit the Dutch church receiving more members than it already had. This supervision was carefully considered by the ecclesiastical commission of the archbishops and bishops at Lambeth, which was appointed in 1571 to consider uniformity in public worship. It was then decided by a decree

dated 16 Sept. of that year, signed by the archbishop of Canterbury, the bishops of London and Winchester, and John Hammond, that all spiritual jurisdiction over the foreign churches was confirmed and acknowledged to be in the bishop of the diocese in which these churches might be. According to the then custom these decrees had to receive the special sanction of the sovereign as head of the church. In 1574 the foreign churches in England declined to take a part in the synods of the reformed church of Holland, being warned not to do so by the archbishop and the bishops, her majesty's ecclesiastical commissioners, but to be content with the permission to use their accustomed rites, differing as they did from those established in the realm. It was admitted by the strangers, 'We are not our own masters, but depend upon the said commissioners, our superintendents, to whose charge her Majesty has committed us; we cannot alter the forms of ministry, &c., from those allowed since the year 1530.' Dr. Temple, as bishop of London, was no doubt much surprised when he was memorialised as superintendent of the French church in March 1888.

It is to be hoped that search will be made in the Cambridge matriculation lists for the names of those who were sent to that university to receive their education for the ministry at the expense of the Dutch church. The original subscription book, commencing in 1576, still amongst the archives at Austin Friars, shows that those contributing signed from time to time an engagement to pay annually for three years stated sums for this purpose. The consistory of the French church sent their students to Geneva. Of late years the Huguenot Society of London has taken up the subject of these foreign congregations. Mr. Hessel's labours will do much to assist in this work; they also throw much light on the protestant churches of Flanders, Brabant, Heidelberg, Frankfort, Emden, Danzig, and Geneva, as the period covered by the correspondence is that of the rise and development of the reformed church in the Calvinist form adopted in the Netherlands and France, and therefore by the foreign churches in England.

The correspondence of Ortels naturally reveals much of his inner life. He owed his success to his industry and hard work. In 1547, at the age of twenty, he became a member of the Antwerp guild of St. Lucas, as an illuminator of maps. In 1554 he appears to have been supporting his widowed mother and his two sisters by dealing in the maps mounted by them and coloured by himself, sending those of the Netherlands to other countries and importing thence foreign maps for sale at home. His letters show that he employed artists and geographers to survey countries that had not been mapped, and to correct existing maps. He obtained from agents maps of India, China, Japan, Brazil, &c., and of all the countries of Europe. Studying books of travel and natural history, he added details on the margins, and did his best to give all the most recent additions and improvements. The maps of that period were very large and awkward to make use of, being yards in length. Ortels had a happy thought of arranging these all of the same size, so that they would range in book form, which he first thus published in 1570 as the 'Theatrum.' No less than twenty-eight different editions of this great work were issued in Latin, Dutch, German, French, and Spanish. Mr. Hessels

gives a very carefully arranged list of these in the preface to his first volume, taken from the able bibliographical essay by Dr. P. A. Tiele, published in the '*Bibliographische Adversaria*' (The Hague, 1876), with additions that he has been able to make. The letters of his friends tell us much of the character of Ortels. He was generous as a business man towards his debtors, and devoted to sacred literature, religion binding him to no place or time, but to God only. Writing to his nephew he said, 'There is no blessedness in merely knowing Christ, but in possessing him.' Mijlius in 1596 congratulated Ortels on his contempt of the world and on his service to it. Very independent were the men of those days when it was safe to be so. Jacob Cool would not make up to his uncle for the sake of gain. Ortels, feeling the weakness arising from age, longed for his companionship and support in 1593. 'I invited you to stay with me, but I shall have to excuse you. I should willingly have placed all I possess in your hands, but now I shall think of another disposition.' This was a threat only, not carried out.

The Antwerp geographer was regarded even during his lifetime as the glory of his city and the ornament of the world. Medals in silver and gold were struck in honour of him. He was a man of universal knowledge, taking the greatest interest in all branches of the arts and sciences; he was especially devoted to the study of natural history. In 1587 he sent through his sister to Jacob Cool, in London, garden seeds—namely, of maravilia and sunflowers—regretting that none of the African marigold could be obtained. Buckwheat was sent to Cool in 1592, and in the same year an American chestnut and the seed of the plane tree, to be propagated in England. These were probably the first of those plants and trees grown in this country. Jan Huyghen van Linschoten sent Ortels sketches of trees and fruits growing in India; from all parts he received descriptions and drawings of living and inanimate objects to be engraved for his publications. As an ardent collector of coins Ortels was famous throughout Europe. Mustus wrote to him in 1583, 'You have emperors in gold, silver, and copper, and are richest of all.' Aduerno wrote from Madrid in 1584, 'To gratify your desire I send all the coins I have to you as a present.' These were of the Roman emperors and their wives in silver and bronze. Of his own collection Ortels wrote in 1587 to his nephew, 'As regards quantity and selection of my coins I may vie with any one in the Netherlands.' In 1592 he would that he had a gold Commodus; 'I should then have a complete series of the emperors as far as the twenty-fifth.'

In connexion with books all subjects were written about by Ortels's numerous correspondents. Richard Mulcaster, master of the Merchant Taylors' School, wrote in 1581 of his '*Elementarie*' (London, 1582, 4to), what boys must learn before going to grammar schools. A despairing author, Matthew Hoste, asked him in the following year what was thought of his '*Historica Antiquitas Rei nummariae*.' 'I have still over 700 copies on my hands, which might have been easily sold if sent to Frankfort,' &c.

In the sixteenth century it was not the custom for publishers to purchase manuscripts of books from authors. Ortels wrote to Emanuel van Meteren concerning the publication of his history of the Netherlands,

'My experience is that authors have seldom obtained money for their books. These are mostly presented to the printers, but they usually receive a few printed copies. They expect also to get something for their dedications, according to the liberality of their patrons, which often or mostly (I believe) fails them.' Some authors paid Plantin for his services; others presented him with silver dishes, 'seeing that their work had been printed elegantly.' When Plantin printed the '*Synonymia*' he sent Ortels twenty-five copies, for which the latter wrote 'he was very grateful,' this being all he received as author. Printers, as publishers, had already learned to take care of their own interests. Schoppius wrote in 1596, 'How fond our printers are of gain! It is difficult to persuade them to print philological works, as those that are printed will not sell.' We learn too that writers were pressed for copy as they are now. Plantin wrote to Ortels in 1587, 'Early next week all your copy will have been set up by our compositor; prepare more if you have any more to print.' Many references are made to the spring and autumn book fairs at Frankfurt, Leipzig, and Heidelberg, and to the various booksellers there and in other places, many of whom are named in the letters. Ortels was very conscientious in his work. When possible he collated the manuscripts used by him with other copies. Ortemberg undertook this duty for him at Rome, and collated a manuscript of Ptolemy's Greek cosmography with one in the Vatican library, and wrote that he would not neglect the other manuscript of the same. This copy was returned to Ortels through Jan Lievens from Rome, but it appears to have been lost on the journey. Vulcanus wrote from Leyden in 1592, 'Has this treasure perished? Would that rather that faithless man to whom Livineius intrusted it had perished!' This writer sent to Ortels another manuscript copy of the same work which had belonged to a Spanish nobleman, which came *accidentally* into his possession in Zeeland thirteen years before. Printed genealogies of kings and princes were then coming into fashion, which found eager buyers. 'Now many study such things.' Ortels was recommended to print these on the back of the maps in his '*Theatrum*.'

When Ortels visited England and Ireland in 1577, in the company of Emanuel van Meteren, he became acquainted with William Camden and other distinguished persons. Camden wrote to his Antwerp friend in 1595, when he presented him with a copy of his '*Britannia*.' This was, however, lost on the passage, but Jacob Cool had already given his uncle a copy two years before.

Dr. Dee wrote to Ortels in 1557 from Mortlake, 'Your books are so elaborate and useful to all travellers, officials, and merchants, that they will procure you the goodwill of all and the immortal glory of your name.' John Johnstone, professor of theology at St. Andrews university, wrote in 1594, 'Your fame has even reached us at the end of the world.' Guillaume Postel, the French traveller, called the '*Theatrum*,' in a letter of 1579, 'the principal work of the world after the bible.' Other correspondents praised the elegance and beauty of his work. Richard Hakluyt, writing from London in 1590, told Ortels that he would render a service to Englishmen, students of Oxford and Cambridge, and citizens of London, by drawing a map on a large scale, twelve feet long by three or four wide, and so mounted on rollers at each end of a frame, three or

four feet square, that it could be hung on a wall, and thus easily made use of. Hakluyt added to his letter a sketch of the suggested mounting. A plan of this map is given, drawn by Ortels at the request of his English friend. Applications were made from various parts for reduced copies of his maps, to illustrate forthcoming works, requiring such illustrations. Raphelengius wrote to Ortels in 1593, 'We dare not encroach on your property without your leave; we will mention your name on the map.' Connected with the subject of maps it is interesting to note the peaceful death of Mercator, the geographer, in those involved times. 'Gerald Mercator,' wrote Mijlius on 26 Dec. 1594, 'died on the 2nd instant about midday, sitting on a chair as if about to take a nap before the fire.'

Literary friendship then existed. We read of George Fleck asking Ortels in 1594 to send him a copy of the 'Theatrum,' sealed with his seal, and 'as a perpetual memory of our literary friendship add your autograph.' Nothing, he said, could please him more. Jacob de Carondelet mentions in 1594 a new edition of Horace by Torrentius, bishop of Antwerp, in which he would be honoured by being mentioned, as his manuscript had been of great assistance to the bishop. This manuscript had been presented by Pope Pius II to Jean Carondelet, the brother of his great-grandfather, ambassador of Philip the Good, duke of Burgundy, to the council of Basle. Humphrey Lloyd wrote in 1568 that 'neither fever nor the prospect of death could efface the remembrance of my Ortelius from my troubled brain. I therefore send you my map of Wales, not completed in all its details, but faithfully drawn, provided certain safeguards are observed, which I wrote dying.' At the same time he sent also a map of England with its ancient and modern names. With these he presented Ortels with fragments of a description of Great Britain, by himself, which he would have completed if 'God had granted him life.' Ortels noted at the bottom of Lloyd's letter of August 3 that the writer died on the 31st of the same month.

It is interesting to note the price of printed books of those times, which seem to have commanded a good value. The 'Theatrum' of Ortels in 1595, if of the last edition and bound, cost forty-six florins. The growing demand on papermakers was great in the last quarter of the sixteenth century. Want of paper caused a great delay in the edition of the 'Theatrum' of 1591. This paper Ortels had specially ordered in France two years previously, but the insecurity of the roads rendered it very difficult to move merchandise thence to Antwerp.

Collectors of chronograms will find interesting specimens in some of the letters, especially a series of anagrams or concealed chronograms in the communication of Gerard van Corek to Ortels, dated from Brussels, 27 April 1595. Peter Martyr, writing to Utenhove in 1559, gave details of the rising of the people in Edinburgh on St. Giles's day in 1558, when the image of the patron saint of that city was being carried around in a procession, which Queen Mary and the chief men accompanied. The people scattered the procession and threw 'the principal idol of the city' into the sewer. The leaders of the riot wrote to the king of France that they wanted to follow the pure religion, and that if this were granted to them they would be peaceful, and if not they would unite with England.

Many notices are given of Daniel Rogers and of his troubles in Germany. His letter to Ortels from Windsor in 1572 shows with what

zeal he procured manuscripts, maps, &c., for his Antwerp friend. Space fails to go closely into the details of the many interesting subjects to be found in these series of letters. All libraries of any note will doubtless find room for these volumes. It was a happy recommendation to the consistory of the Dutch church in 1884 which resulted in Mr. Hessels being intrusted with this work, so ably carried out by him. Those who have had experience in annotations of the period embraced by the letters know the difficulty in finding particulars of those men of varied type whose names are found in the 'Archivum.' What Mr. Hessels gives, especially in the second volume, adds much to what is attainable by most readers. In one case perhaps he is somewhat at fault. Johannes Helmichius was minister of the French church of Norwich, not of the Dutch church of that city, as shown by the return of strangers, dated 4 Aug. 1568, made by the bishop of Norwich. The burial register of St. Andrew's parish, Norwich, gives the interment of 'Johannes Helmichius, aliegina [sic], 16 Sept. 1568.' It is difficult, therefore, to find a solution for the date of the letter (91) of Johannes Helmichius under October 1568. Reference to the 'Walloon and their Church at Norwich' (Lymington, 1887-8) might perhaps have caused Mr. Hessels to search further concerning this name, which at present is unknown amongst the strangers in England except for this Walloon minister. The carefully written prefaces to these volumes of over one thousand pages each tell of the close interest Mr. Hessels took in his arduous task. In these details are given of the careers of Abraham Ortelius and of his nephew Jacob Cool, with their genealogy as far as proofs can be obtained. It is to be regretted that no reference is made in the letters to the Coverdale bible, the whole history of which must have been known by many of those who figure so often in the 'Archivum.'

W. J. C. MOENS.

Constitutional Documents of the Puritan Revolution, 1628-1660.
Selected and edited by S. R. GARDINER. (Oxford: Clarendon Press. 1889.)

MR. GARDINER has conferred a great boon on students of the seventeenth century by editing this collection. It is unnecessary in these columns to enlarge upon the value of such a work. The name of the editor is a sufficient guarantee that the documents which it contains have been carefully selected and have been printed with scrupulous accuracy. Close upon a hundred documents are given, beginning with the petition of right and ending with the declaration of Breda. It need be no matter of surprise that only four of these have not appeared in print before. The period has so long occupied the attention of antiquaries and historians that it is more surprising to find anything of importance still unpublished. Of the other documents, but few are to be found in books commonly accessible to the general reader, and these are often given in a more or less mutilated form. Here everything is printed in full, and the ordinary student need not go beyond the pages of this little book to obtain a complete and connected view of the progress of the great quarrel. No better practice can be devised for the beginner than to turn him on to a book like this, and to set him problems which involve the sifting and

comparison of the materials which it contains. Here are to be found a mass of illustrations by means of which the elementary principles of historical research may be taught.

Mr. Gardiner prefaces his collection with an excellent introduction, in which he sketches in outline the political history of the period. He goes back beyond the date of the first of his documents, the petition of right, to the origin of the quarrel between the Stuarts and their parliaments. He contrasts the French Revolution with the English in that, while in France the abolition of privileged orders was 'of the essence of the movement,' in England the essential point was the restriction of monarchical authority. Changes in the circumstances of the country and deficient sagacity in the rulers rendered the rights of Tudor sovereigns untenable by their successors. The dispute about impositions and the decision in Bates's case 'raised the question which is at the bottom of all constitutional struggles—the question between the national will and the national law.' The first important step towards the settlement of this question was taken by the petition of right. But how far was this act intended to restrict, how far did it actually restrict, the king's power? 'Its remedies,' says Mr. Gardiner, 'were not intended to apply to all questions which had arisen or might arise between the crown and the parliament, but merely to those which had arisen since Charles's accession.' He goes on to say that it purposely 'waived the question of impositions,' and, apparently, of indirect taxation in general. On this point I cannot help feeling doubtful.

The fact that impositions and tonnage and poundage were not explicitly mentioned in the petition is no doubt remarkable. 'The framers of the petition,' says Mr. Gardiner, 'were the first lawyers of the day, and it can hardly have been through inadvertence that they omitted the decisive words necessary to include impositions if they intended to do so.' He goes on to point out that the Tonnage and Poundage Act (1641) expressly prohibits the exaction of customs and imposts without consent of parliament; but this difference of language does not seem conclusive. Parliament, having been once eluded, was likely to be more careful a second time. Mr. Gardiner supports his inference by calling attention to the fact that parliament referred to the 'imaginary statute *de tallagio non concedendo*,' but made no reference to the *Confirmatio cartarum*. To this it may be answered that, even had they been aware of the existence of the document now known as the *Confirmatio*, which is quite uncertain, they would hardly have mentioned it in preference to the articles given by Walter de Hemingburgh, since it expressly saves to the king the control of the customs, which since the beginning of Charles's reign had been the chief or one of the chief points in dispute. On the other hand, various circumstances tend to make it probable that the petition was meant to cover indirect as well as direct taxation. The attitude of parliament throughout the first four years of Charles's reign on the question of tonnage and poundage, the nature of the king's questions to the judges before he accepted the petition, the remonstrance passed (within three weeks of its acceptance) against the levy of tonnage and poundage 'and other impositions not granted by parliament' as being contrary to the petition, and the language of the protest of 1629 on the same subject, all appear to make it inconceivable that parliament should

have intentionally omitted to declare a right the maintenance of which was uppermost in their minds immediately before and after. The wording of the petition, though somewhat vague, 'any gift, loan, benevolence, *tax*, or such like charge,' is wide enough to cover anything. Lastly, parliamentary control over direct taxation had not as yet been attacked. Why then should they have been so anxious to assert, and the king so reluctant to allow, what nobody denied, and why should they have omitted to guard what was really in danger?

Passing over the period of absolute government and the first acts of the long parliament, we come to the discussions on ecclesiastical reform which led to a split in the parliamentary party. The Root and Branch petition, which began the agitation, is well known, but the lords' bill on Church Reform, introduced on 1 July 1641, is here printed by Mr. Gardiner for the first time. It is a remarkable document, as showing to what length the reforming party in the church were willing to go. The bill was brought in by a committee of divines, of which the bishop of Lincoln was chairman. It proposed that, since preaching had been much neglected, every bishop and archbishop should preach in public once every Sunday. In order that secular duties should not interfere with clerical, no one in holy orders was henceforward to be a member of the star chamber or any other temporal court, nor a justice of the peace or a member of the privy council. In order to assist the bishops and archbishops in the execution of their duties, twelve ministers were to be appointed in every shire, without whose consent no orders were to be conferred, no excommunication or deprivation inflicted; they were to be nominated in equal proportions by king, lords, and commons. Deans and canons holding livings were not to spend more than sixty days in the year in residence, and were to preach regularly. Every canon with a cure of souls was to maintain a curate, and every pluralist was to maintain one in every living in which he did not himself reside. Various provisions were made to regulate proceedings in ecclesiastical courts, to limit fees, &c.; and ecclesiastical law was to be codified by a committee appointed pretty equally by king, lords, and commons. These and other proposals, while showing that the complaints of the puritans were in many respects well founded, testified to the willingness of the more enlightened churchmen to set their house in order. But they were not likely to satisfy those who were bent on pulling it down about their ears. Even before the outbreak of civil war, the lords had been compelled to go much further in this direction than they had meant to go when this bill was brought in. The Bishops' Exclusion Bill was the last measure of importance which received the king's assent. The nineteen propositions are regarded by Mr. Gardiner as a sign that parliament had now resolved practically to set aside the king—not necessarily to depose him, but so to limit his authority as to set up a parliamentary despotism in its stead.¹

The negotiations between Charles and the parliament, after the outbreak of war, and the proposals on either side, varying as the fortunes of the past campaign raised or depressed the scale, are given in full in the

¹ Why, by the way, does Mr. Gardiner print the act for the attainder of the earl of Strafford from the copy in Rushworth instead of from the copy in the statutes (16 Car. I, 38)? The two differ in a good many verbal points, and it may be presumed that the latter is the more correct.

body of the work, and balanced with Mr. Gardiner's usual impartiality in the preface. He regards the parliamentary demands made in the Uxbridge conference as unreasonable. 'Such demands can only have been made with the object of trampling on the king's feelings as well as upon his political authority, and it would have been far more reasonable to ask his consent to an act of abdication than to such articles as these.' On the other hand, he emphasises the fact that the king's character stood in the way of compromise. 'It was the general distrust of the character of Charles which made this impossible, and which made his abdication or dethronement the only possible temporary solution. After the futile negotiation at Newcastle and the king's removal to Holmby House, the presbyterian majority in parliament, from fear of the army, began to fall back upon the king.' 'The result was . . . the production, on 29 Jan. 1647, of a proposed answer which was to be sent through the queen's hands to the king in order that, if he approved of it, he might return it to those who had drawn it up, on which they were ready to support the king's wish to come to London to enter into a personal negotiation with parliament.' This proposed answer, found in the French archives, is printed by Mr. Gardiner for the first time. It is suggested that the king should express his willingness to confirm the presbyterian system for three years; to approve all acts of parliament done under their great seal; to entrust the command of the militia by sea and land to persons nominated by parliament for ten years; to give full satisfaction touching the conduct of the war in Ireland, and the establishment of religion [there?]; and to confirm the privileges of London. On the other hand he is to stipulate for the maintenance of the just power of the crown, and for a general amnesty. It will be seen that there is a close resemblance between these proposals and the terms discussed at Newcastle, as well as the concessions offered by Charles in his letter to the house of lords (Nov. 1647), and the terms of the treaty of Newport. 'On 12 May 1647,' says Mr. Gardiner, 'Charles sent to the houses what was in form a third answer to the propositions of Newcastle, but which was in reality intended to be a reply to the secret proposals of the presbyterians, and which in fact accepted them with some not very important modifications. The historical importance of these two documents can hardly be overrated. In them the alliance was struck between the king and the presbyterian party which led to the second civil war in 1648 and ultimately to the Restoration in 1660,' as well as (Mr. Gardiner might have added) to the death of Charles and the despotism of Cromwell.

The engagement between the king and the Scots, made in December 1646, and now printed for the first time from the Clarendon MSS., may be regarded as an outcome of the same movement. The presbyterians in Scotland and the presbyterians in the parliament, though negotiating separately with Charles, had a mutual understanding and were working for a common end, the overthrow of the independent army. The treaty between Charles and the Scots confirms the league and covenant, provided none are forced to subscribe to it. It confirms presbyterianism for three years, and it engages that acts shall be passed to suppress heresy and schism [evidently aimed against independency]. The army having refused to disband, having carried off the king and expelled presbyterians from parliament, &c., the Scots are first to endeavour by peaceable means that

the king may come to London for a free negotiation, failing which they are to declare for the king's rights, his control of the militia, choice of councillors and the legislative veto, and to support these rights by force of arms. In a further series of articles the Scots take good care of their own interests. It is characteristic that they stipulate to be employed in foreign negotiations, as members of the council, and in places of trust about the court. A comparison of these terms with those discussed between the king and the parliament, showing that he looked forward to cancelling by Scotch aid the very concessions which he promised without reserve to his English allies, proves Charles's duplicity, and goes far to justify the army in refusing to make any terms with so treacherous a foe. A renewal of the civil war followed, with a result fatal alike to the king and to the parliament, and, for a time, to Scotch independence.

One of the most interesting documents of this period, belonging in character, if not chronologically, to the period of the republic, is the so-called agreement of the people, put forth by the council of the army in January 1648. 'It was a sketch of a written constitution for a republican government, based on the heads of the proposals' which had been drawn up by Fairfax and the council of the army in August 1647, with the difference that, whereas in 1647 they still contemplated retaining the monarchy, they had now decided on its abolition. The idea of a written constitution, which now for the first time appears, was, no doubt, due, as Mr. Gardiner suggests, to the fear lest a parliamentary despotism should be substituted for an absolute monarchy. Biennial parliaments, a redistribution of seats, a rating franchise, a council 'for managing public affairs,' a reform of religion, and toleration, are among the chief features of this document. In many important points it anticipated the instrument of government and the petition and advice.

Mr. Gardiner criticises these documents at some length in his preface. In his appendix he prints for the first time a very important document, the constitutional bill of the first Protectorate parliament introduced in November 1654. It is taken from a MS. in the possession of Lord Braye. The instrument of government was, as every one knows, drawn up by the council of officers in the interval between the Barebones parliament and the parliament mentioned above. After pointing out that it 'suffered under the vice of having no support either in traditional loyalty or in national sanction,' Mr. Gardiner continues: 'If, however, we pass over these all-important faults, and discuss it from the purely constitutional point of view, it is impossible not to be struck with the ability of its framers, even if we pronounce the work to be not entirely satisfactory. It bears the stamp of an intention to steer a middle course between the despotism of a single person and the despotism of a single house. The real constitutional safeguard was intended to be in the council of state.' Mr. Gardiner points out the similarity between the relations of the Protector to his council and those of an American president to the senate in executive session, but remarks that, while the tendency of an American senate is to be antagonistic to the president, the tendency of the English council of state, which was in daily contact with the Protector, was to work with him instead of against him.

Whatever were the merits or defects of the instrument of government, the first parliament summoned under it refused to recognise its binding

authority, and proceeded to construct a constitution closely resembling indeed that established by the instrument, but differing in some important particulars. This constitution is developed in the above-mentioned bill. The chief differences between it and the instrument are as follows. While the instrument gives the election of a future Protector to the council alone, the bill confers on parliament, if it is sitting, the right of determining the mode of election. The instrument adopts an elaborate method of filling vacancies in the council, giving the parliament and the council a principal share in the selection; the bill establishes a simple nomination by the Protector, subject to the approval of parliament. Under the instrument the Protector is to have a revenue large enough to support 30,000 men, with 200,000*l.* for other expenses of government, the charge for additional forces being rendered subject to consent of parliament; under the provisions of the bill, the Protector is to have a total revenue of 1,300,000*l.*, of which 400,000*l.* are reserved for the army and navy. In the declaration of war and the making of peace the instrument reserves complete control for the Protector and the council; the bill lays down that war can only be declared by consent of parliament, and peace only made in the same way, if parliament is sitting. A final control over the militia after the death of the present Protector is reserved for parliament by the bill, but not by the instrument. The bill is more explicit than the instrument on the subject of religious toleration, and power is reserved for parliament to determine, in conjunction with the Protector, what are the fundamental doctrines which may not be controverted.

To the differences between these documents noticed by Mr. Gardiner may be added some others of importance. Under the bill the Protector is to take an oath for the due calling of parliaments, &c.; under the instrument this oath is imposed on future Protectors only. The bill places limitations on the Protector's powers in regard to the conferring of hereditary titles, the granting of pardons, &c., which are not to be found in the instrument. With regard to parliament, the bill extends the minimum duration of its sessions to six months; it provides a form for the writ of summons; it gives much fuller instructions as to procedure in case the Protector shall fail to summon a parliament; it disqualifies for life, while the instrument only disqualified for three years, all who had fought against parliament since 1641.

On the whole, it is clear that the position of parliament under the bill would have been far stronger than under the instrument. In only one respect, that of revenue, would the Protector have been better off under the project. What the parliament gained, the Protector and the council, especially the former, lost. It is easy, since the publication of this remarkable document, to understand the reasons which made the Protector so reluctant to allow the parliament to sit a day beyond its appointed time. Even, however, under the parliamentary bill the powers conferred on Cromwell placed him far above a constitutional monarch, and even left him in a position superior to that claimed by the Stuart whom he had displaced.

There is one point in Mr. Gardiner's criticism of the bill and the instrument in which I find myself unable to follow him. He states that the framers of the instrument intended their constitution to be absolutely rigid and unchangeable. 'It suffered (he says) under the vice of ignoring the probable necessity of its amendment in the future.' And again, in

contrasting the bill and the instrument, he remarks that while the former provides that the constitution may be altered by consent of Protector and parliament, the latter makes no provision for any change. This opinion appears to be based on § 24 of the instrument, which runs as follows: 'That all bills agreed unto by the parliament shall be presented to the lord protector for his consent; and in case he shall not give his consent thereto within twenty days after they shall be presented to him, or give satisfaction to the parliament within the time limited, that then, upon declaration of the parliament that the lord protector hath not consented nor given satisfaction, such bills shall pass into and become laws, although he shall not give his consent thereunto; provided such bills contain nothing in them contrary to the matters contained in these presents.' Mr. Gardiner seems to think that the last clause means that no bill containing anything 'contrary to these presents'—*i.e.* involving a violation of or a change in the constitution as laid down by the instrument—was to pass at all. It appears to me to mean nothing more than that such bills must have the Protector's consent. Ordinary bills are within the legislative absolutism of the parliament; bills altering the constitution are specially excluded from this category. But it does not follow that they cannot be passed by Protector and parliament acting together.

The constitutional bill (§§ 1, 2) makes little alteration in this respect; it does little more than clear up what was obscure, or at least not quite distinctly expressed. After recapitulating the greater part of § 24 of the instrument almost word for word, it adds the same proviso in a slightly altered form, 'provided such bills [*viz.* bills passed without the Protector's consent] contain nothing in them contrary to such matters wherein the single person [*i.e.* the Protector] is hereby declared to have a negative.' And then it goes on: 'That if any bill be tendered at any time hereafter to alter the foundation and constitution of the government of this commonwealth from a single person and a parliament as aforesaid, that to such bills the single person is hereby declared to have a negative.' It may be observed that, while the instrument allowed the Protector a veto on all changes in the constitution, the bill, leaning in this as in other respects to the side of parliament, confined his veto to what may be called fundamental changes. Thus a slight constitutional change would, no doubt, be easier under the bill than under the instrument; but that is all. A minute study and analysis of this remarkable bill, which will henceforth take its place along with the instrument of government and the petition and advice as the third great constructive effort of the republican period, may well be recommended to all students of constitutional history and political philosophy.

G. W. PROTHERO.

Minutes of the Manchester Presbyterian Classis. Edited by WILLIAM A. SHAW, M.A. Part I. (Printed for the Chetham Society. 1890.)
Materials for an Account of the Provincial Synod of the County of Lancaster, 1646–1660. By WILLIAM A. SHAW, M.A. (Printed privately. Manchester. 1890.)

FEW subjects require more careful investigation than the early history of English nonconformity, and Mr. Shaw manifests praiseworthy diligence in attempting to reach clear definitions and lay down general principles

in a portion of this obscure field. He has begun, as was natural, with the history of presbyterianism in England, and in a paper which was published in vol. iii. of the *ENGLISH HISTORICAL REVIEW* sketched the fortunes of that academic presbyterianism which sprang from the teaching of Thomas Cartwright. In the two works before us we have valuable material for a history of the presbyterianism of the civil war period, of the rise of which Mr. Shaw's introduction to the volume published by the Chetham society gives an extremely interesting and ingenious account. The proceedings of the long parliament have been criticised from many points of view. Mr. Shaw subjects its early sessions to most careful criticism for the purpose of discovering the growth of opinion concerning the organisation of the church. His general position is that at the opening of the long parliament the general frame of mind was negative, not positive. Men were conscious of grievances which arose from the condition of ecclesiastical affairs; they objected to the temporal jurisdiction and the political power of the bishops; and they wished for greater latitude as regarded the services of the church. The first practical expression of this desire was a reformation of 'corrupt episcopacy' into 'primitive episcopacy,' without any view of touching the institution of episcopacy in itself. The root and branch bill expressed the views only of an extreme faction, and only became a possible policy through the pressure of circumstances, the result partly of parliamentary combinations, partly of outward events. The general tendency of the early debates on the point was to form a plan for vesting the jurisdiction of the bishops' court in parliamentary commissioners, and give them some authority in the choice of persons to be ordained. There were no traces in all these debates of presbyterianism proper, which came entirely from Scotland, and was recommended by two substantial reasons, the need of a political alliance with the Scots and the inability of parliament to agree on a religious system on the lines of English puritanism.

We will not follow Mr. Shaw through the details of his exceedingly interesting analysis of English opinion. The point which he aims at establishing is the value of this view as explaining the facts of English religious history under the Commonwealth. Puritanism was not at first opposed to the constitution of the church, but maintained that on grounds of civil and religious policy the abuses of that constitution should be remedied. Had not Scottish presbyterianism been close at hand, with an offer of useful aid in politics combined with a panacea for religious difficulties, it is probable that England would have solved its own problem upon a lasting basis. But the attempt to establish presbyterianism moved the puritan party, for its offer of a strong system of discipline was attractive to the clerical mind. The puritan party hastily identified itself with presbyterianism, which was alien to the instincts of the English people. The reaction against presbyterianism produced a growth of independency, which was of little importance before. Neither presbyterianism nor independency, nor a combination of both into Cromwell's state church, was able to satisfy the English people. But Mr. Shaw has pointed out and has explained the historical causes of the failure of English puritanism after the Restoration. The puritan clergy, under the impulse of temporary motives, abandoned their old position,

which was in accordance with the instincts of England, and adopted the alien system of presbyterianism. By so doing they lost their constitutional position, and rendered impossible their reconciliation with the restored church. The Savoy conference was foredoomed to failure, because the question which barred the way to any idea of comprehension was the necessity of episcopal ordination. The presbyterian clergy refused reordination; the Anglican leaders could not waive that point without assenting to an organic change in the constitution of the church, which could not be settled merely on grounds of expediency. As compromise was impossible in this, it was not worth trying it in other and minor differences. As a matter of fact presbyterianism rapidly died away in England.

If we wish for an explanation of the ill success of presbyterianism, it is to be found in the documents of which Mr. Shaw publishes a first instalment. The only previous publication of a like kind is the 'Minute Book of the Wicksworth Presbyterian Classis,' edited by Mr. J. Cox, in the 'Derbyshire Archæological Society's Journal,' 1880. In these records we can gain some notion of the actual working of the presbyterian discipline where it was established. However much we may admire its consistency, we shall find it hard to approve the wisdom which imposed it all at once upon a people who were not previously prepared. We learn to appreciate the force of the antagonism which it inevitably caused. We understand how unacceptable presbyterianism was to men whose chief objection to the church was its interference with individual liberty. We see the difficulties of bringing it into relation with existing authority, even the authority of parliament. We appreciate the strength of independency as offering a means of escape.

M. CREIGHTON.

Leaders in the Northern Church, by the late Bishop LIGHTFOOT (London: Macmillan. 1890), is a volume of sermons, of which the motive is a survey of the historical part of Northumbrian Christianity. Of course a sermon is not the place for investigation, and Bishop Lightfoot has contented himself with bringing into prominence the characteristics of Columba, Aidan, Bede, Richard of Bury, Cosin, Butler, and other well-known men. The volume, however, is of considerable interest, not only for the sober and wise judgments which it contains, but as an example of a method, which might with advantage be extended, of popularising history and showing its moral significance. Bishop Lightfoot's sermons are admirable specimens of the way in which the fruits of ripe learning may be communicated simply, and may be interwoven with local associations so as to be intelligible to all. Mr. Harmer, as editor, has added notes which refer the inquirer to the best sources of information on the subjects dealt with, and explain allusions which might escape the notice of the uninformed.

Old English Catholic Missions, by JOHN ORLEBAR PAYNE (London: Burns & Oates. 1889), gives a useful summary of the registers which were deposited at Somerset House by the Roman catholic clergy in 1840, in obedience to the request of a royal commission. There were so many refusals to comply with the request, that the report of the commission takes no notice of what was received; and it was left to Mr. Payne to

make known the interest attaching to the documents which are open for consultation. To these he has added notes on a few other registers, the most interesting of which is that of Worcester, which records that a convert to Romanism remained unburied for a week in 1686, because he had been excommunicated for being a catholic; finally his corpse was carried to Monmouth for burial. There is much in this volume to interest any student of the history of English Romanism, and we can only regret that Mr. Payne did not try to make his book more complete by further investigations, which, doubtless, he would now be permitted to make. As it is, the selection of localities is entirely arbitrary, and not necessarily characteristic.

Messrs. W. and A. K. Johnston's *Cosmographic Atlas*, which recently passed into a fifth edition, is often recommended as one of the best atlases in English procurable at a moderate price, not only because of its comprehensiveness, but also because many of the maps display an excellence in draughtsmanship and finish such as is commonly to be looked for only in much more expensive works. This result has been possible simply because the maps are selected from other atlases published by Messrs. Johnston, so that the possessor of this volume gains the benefit of some at least of the elaborate work done for the great atlases with which the firm's name has long been associated. The drawback of the plan is that the atlas has neither unity of plan nor symmetry in execution; and part of its contents is as unsatisfactory as another part is admirable. We here refer of course to the historical maps. They come in a curious order; first 'historical,' then 'classical,' and then (with some physical maps intervening) 'biblical;' which is to reverse the natural arrangement. Besides, the first series includes maps of Roman Britain, which belong strictly to the classical set; among the physical maps we find one (hopelessly absurd) of the ethnography of Britain, in which the Roman-British names are inserted; and one of the biblical maps partly overlaps the excellent map of the Holy Land included in the general political series, since the latter, following a mischievous custom, gives the modern names of places side by side with the political divisions of the time of Christ. Apart from these objections the historical maps are badly chosen, are too few for practical use, and are altogether behind the present state of historical knowledge. The two maps of Roman Britain preserve the exploded arrangement of the provinces, and are generally antiquated. The map of 'France illustrating the French and English wars' excludes Flanders and includes the three bishoprics and Provence—a fact which is enough to show how little the atlas is to be trusted as a guide for the historical student. One single map of modern Europe, and that for the period 1715 to 1815, is totally inadequate. When we add that in drawing and style these historical, classical, and biblical maps are far below the high standard of workmanship presented by the rest of the book, it only remains to express a hope that the publishers will either omit the entire series from future editions of the atlas, or else learn a lesson from Spruner and Droysen, and produce, what is urgently needed, a really scholarly historical atlas of Europe for English readers, from which a selection might be included in this book.

List of Historical Books recently published

I. GENERAL HISTORY

(Including works relating to the allied branches of knowledge and works of miscellaneous contents)

- ACHELIS (T.) Die Entwicklung der modernen Ethnologie. Pp. 149. Berlin: Mittler.
- ADAMS (H. B.) and others. Seminary notes on recent historical literature. Pp. 105. Baltimore: Johns Hopkins University Publication Agency.
- BENTHAM (Jeremy). A fragment on government. Ed. with introduction by F. C. Montague. Pp. 242. Oxford: Clarendon Press. 7/6
- DESJARDINS (A.) Introduction historique à l'étude du droit commercial maritime. Pp. cxx, 569. Paris: Pedone-Lauriel. 8f.
- DÖLLINGER (J. J. I. von). Kleinere Schriften, gedruckte und ungedruckte; gesammelt und herausgegeben von F. H. Reusch. Pp. 608. Stuttgart: Cotta. 11.50 m.
- FALLÈS (L.) Études historiques et philosophiques sur les civilisations. III. 1. Pp. 207. Paris: Garnier.
- GUTSCHMID (A. von). Kleine Schriften; herausgegeben von F. Rühl. II: Schriften zur Geschichte und Literatur der semitischen Völker und zur ältesten Kirchengeschichte. Pp. 794. Leipzig: Teubner. 24 m.
- HEINEMANN (O. von). Die Handschriften der herzoglichen Bibliothek zu Wolfenbüttel beschrieben. II: Die Augusteischen Handschriften. I. Pp. 320, plates. Wolfenbüttel: Zwissler. 15 m.
- JACKSON (L.) Ten centuries of European progress. Pp. 350. London: Low. 12/6.
- JORISSEN (T.) Historische bladen. Tweede bundel. II. Pp. 375. Haarlem: Tjeenk Willink. 3.75 f.
- Historische studien. Pp. 538. Haarlem: Tjeenk Willink. 4.25 fl.
- PAGE (V.) Saggi di studi storici. Pp. 32. Novara: Miglio.
- PUTNAM (G. P.) Tabular views of universal history; a series of chronological tables, continued by L. E. Jones. Pp. 212. New York: Putnam. 7/6.
- TRINCHANT (J.) Unitarismo y federalismo: estudios sobre todas las formas de gobierno, desde la monárquica absoluta hasta la democrática federativa. Pp. 221. Madrid: Fortanet.
- VILLARI (P.) Saggi storici e critici. Pp. 528. Bologna: Zanichelli. 5 l.

II. ORIENTAL HISTORY

- BASSET (R.) Documents musulmans sur le siège d'Algeren 1541. Pp. 48. Paris: Leroux.
- BRUGSCH (H.) Thesaurus inscriptionum Aegyptiacarum. Altägyptische Inschriften, gesammelt, erklärt, und autographiert. V. Pp. 851-2234. Leipzig: Hinrichs. 4to. 100 m.
- GOLDZIEHER (I.) Muhammedanische Studien. II. Pp. 420. Halle: Niemeyer. 12 m.
- GRAETZ (H.) History of the Jews. Authorised English translation by B. Lowy. I, I. London: Nutt. Each 10/6.
- MERCIER (E.) Histoire de l'Afrique septentrionale (Berbérie), depuis les temps les plus reculés jusqu'à la conquête française [1830]. III. Paris: Leroux. 9 f.
- RAMSAY (W. M.) The historical geography of Asia Minor. Maps, &c. London: Murray. 18/.
- RAWLINSON (G.) Ezra and Nehemiah: their lives and times. Pp. 182. London: Nisbet. 2/6.
- BÖHRICHT (R.) Bibliotheca geographica Palaestinae. Chronologisches Verzeichniss der auf die Geographie des

- heiligen Landes bezüglichlichen Literatur von 333 bis 1878. Pp. 744. Berlin: Reuther. 24 m.
- SCHÜRER (E.). A history of the Jewish people in the time of Jesus Christ. II: The internal condition of Palestine in the time of Jesus Christ. Edinburgh: Clark. 10/6.
- Index. Pp. 100. Edinburgh: Clark. 2/6.

III. GREEK AND ROMAN HISTORY

- ABBOTT (E.). Pericles and the golden age of Athens. London: Putnam. 5/.
- ARISTOTLE. On the constitution of Athens. *Ἀθηναίων Πολιτεία*. Ed. by F. G. Kenyon. 2nd ed., revised. London: Printed by order of the trustees of the British Museum.
- BABELON (E.). Catalogue des monnaies grecques de la bibliothèque nationale: Les rois de Syrie, d'Arménie, et de Commagène. Pp. ccxii, 268, 32 plates. Paris: Rollin & Feuardent. 30 f.
- BOLLA (E.). Arriano di Nicomedia: saggio storico-filologico. Pp. 105. Turin: Clausen. 4 l.
- DARESTE (R.), HAUSSOULLIER (B.), & REINACH (T.). Recueil des inscriptions juridiques grecques: texte, traduction, commentaire. I. Paris: Leroux. 7-50 f.
- DRAGOMIS. Souvenirs historiques: Capod'Istria; la Régence; le règne d'Othon. Traduits du grec moderne par J. Blancard. Paris: Didot: 12mo. 4 f.
- FREEMAN (E. A.). The history of Sicily from the earliest times. I, II. Maps. Oxford: Clarendon Press. 42/.
- INSCRIPTIONES Graecae Siciliae et Italiae additis Graecis Galliae, Hispaniae-Britanniae, Germaniae inscriptionibus, ed. G. Kaibel. Galliae inscriptiones ed. A. Lebègue. Pp. 36, 778. Berlin: Reimer. Fol. 90 m.
- MAHAFFY (J. P.). The Greek world under Roman sway, from Polybius to Plutarch. Pp. 420. London: Macmillan. 10/6.
- NETTLESHIP (H.) & SANDYS (J. E.). Dictionary of classical antiquities, adapted from the work of professor Seyffert. London: Sonnenschein. 4to. 21/.
- SMITH (W.), WAYTE (W.), & MARINDEN (G. E.). A dictionary of Greek and Roman antiquities. 3rd ed., revised and enlarged. I. Pp. 1056. London: Murray. 31/6.
- TACITUS. The histories, ed. with introduction and commentary by W. A. Spooner. London: Macmillan. 16/.

IV. ECCLESIASTICAL HISTORY

- CLUNY.—Visitations of English Cluniae foundations, transl. from the original records in the national library of France by sir G. F. Duckett, bart. London: Paul, Trübner, & Co. 7/6.
- DOUMERGUE (E.). Essai sur l'histoire du culte réformé, principalement au seizième et au dix-neuvième siècle. Pp. 347. Paris: Fischbacher. 18mo. 3-50 f.
- ESTIENNE D'ORVES (madame d'). Sainte Thérèse. Pp. 547, illustr. Paris: Didot. 7-50 f.
- HASE (K. von). Kirchengeschichte auf der Grundlage akademischer Vorlesungen. II: Mittlere Kirchengeschichte. Pp. 578. Leipzig: Breitkopf & Härtel. 12 m.
- HATCH (E.). On the development and growth of religion as exemplified by the influence of Greek ideas and usages upon the christian church. (Hibbert Lectures, 1888.) Ed. by A. M. Fairbairn. Pp. 336. London: Williams & Norgate. 10/6.
- HENRY (abbé). Saint Félix et saint Augebert, martyrs du diocèse de Langres: études sur leur légende. Pp. 71. Langres: Pargon. 1-50 f.
- HILAIRE (père). Saint Antoine de Padoue: sa légende primitive et autres pièces historiques. Pp. li, 290, illustr. Neuville-sous-Montreuil: imp. Duquat.
- JURITSCH (G.). Geschichte des Bischofs Otto I von Bamberg, des Pommern-Apostels [1102-1139]: ein Zeit- und Kulturbild aus der Epoche des Investiturstreites und des beginnenden Streites der Staufer und Welfen. Pp. 479. Gotha: F. A. Perthes.
- KOLDE (T.). Beiträge zur Reformationsgeschichte. Pp. 70. Leipzig: Hinrichs.
- KÜNTZIGER (J.). Fébronius et le fébronisme: étude historique sur le mouvement réformateur provoqué dans l'église catholique au dix-huitième siècle par J. N. de Hontheim, évêque suffragant de Trèves, et l'origine des réformes religieuses de Joseph II. Pp. 238. Brussels: Hayez.
- LE COUTEULX (C.). Annales ordinis Cartusienis ab anno 1084 ad annum 1429. VII: [1396-1429]. Pp. 616. Neuville-sous-Montreuil: imp. Duquat. 4to.
- MOORE (A. L.). Lectures and papers on the history of the reformation in England and on the continent. Pp. 536. London: Paul, Trübner, & Co. 16/.
- MOZLEY (T.). Letters from Rome on the occasion of the oecumenical council [1869-1870]. 2 vol. Pp. 880. London: Longmans. 18/.
- NICOLAS IV, Les registres de: recueil des

- bulles de ce pape, publiées ou analysées d'après les manuscrits originaux des archives du Vatican, par E. Langlois. IV. Pp. 401-544. Paris: Thorin. 4to. 10-60 f.
- PARET (F.) Priscillianus, ein Reformator des vierten Jahrhunderts: eine kirchengeschichtliche Studie. Pp. 302. Würzburg: Stuber. 6 m.
- PONS (B.) Martino Lutero riformatore: la sua vita e le sue opere. Pp. 428. Florence: tip. Claudiana. 3-50 l.
- ROBERT (U.) Bullaire du pape Calixte II [1119-1124]: essai de restitution. 2 vol. Paris: Picard. 25 f.
- Histoire du pape Calixte II. Paris: Picard. 7 f.
- SALES (C. A. de). Vie de saint François de Sales, évêque et prince de Genève. Pp. 192. Bruges: Desclée & De Brouwer. 2-60 f.
- SAMSON (H.) Die Schutzheiligen: ein Beitrag zur Heiligenlegende und zur Cultur- und Kunstgeschichte. Pp. 345. Paderborn: Schöningh.
- SCHLOSSER (J.) Die abendländische Klosteranlage des früheren Mittelalters. Pp. 83, plate. Vienna: Gerold.
- SCHNEIDER (C. M.) Das apostolische Jahrhundert, als Grundlage der Dogmengeschichte dargestellt. II. Pp. 809. Regensburg: Verlags-Anstalt.
- SCHWARZLOSE (K.) Der Bilderstreit, ein Kampf der griechischen Kirche um ihre Eigenart und um ihre Freiheit. Pp. 266. Gotha: F. A. Perthes. 5 m.
- SÉCHÉ (L.) Les derniers jansénistes depuis la ruine de Port-Royal jusqu'à nos jours [1710-1870]. 2 vol. Paris: Perrin, 15 f.

V. MEDIEVAL HISTORY

- ARONIUS (J.) Regesten zur Geschichte der Juden im fränkischen und deutschen Reiche bis zum Jahre 1273. III: [bis zum Jahre 1226]. Berlin: Simion. 4to.
- BACHFELD (G.) Die Mongolen in Polen, Schlesien, Böhmen, und Mähren: ein Beitrag zur Geschichte des grossen Mongolensturmes [1241]. Pp. 89. Innsbruck: Wagner.
- COULANGES (Fustel de). Histoire des institutions politiques de l'ancienne France: la Gaule romaine. Revue et complétée sur le manuscrit et d'après les notes de l'auteur, par C. Julian. Paris: Hachette. 7-50 f.
- ENGEL (A.) & SERRURE (R.) Traité de numismatique du moyen âge. I: Depuis la chute de l'empire romain d'occident jusqu'à la fin de l'époque carolingienne. 645 illustr. Paris: Leroux. 15 f.
- FERRAI (L. A.) Enrico VII di Lussemburgo e la repubblica veneta. Pp. 26. Turin: Bocca. 2-50 l.
- FINOT (J.) Projet d'expédition contre les Turcs préparé par les conseillers du duc de Bourgogne Philippe le Bon [janvier 1457]. Pp. 51. Lille: Quarré.
- FOURNIER (P.) Le royaume d'Arles et de Vienne [1138-1378]: étude sur la formation territoriale de la France dans l'est et le sud-est. Paris: Picard. 12 f.
- HAVET (J.) Questions mérovingiennes. VI: La donation d'Étrépagney. Pp. 29. Paris: Champion. 5 f.
- OLIVIERI (O.) Le forme medioevali di associazione e la influenza loro nella vita civile. Ancona: tip. del Commercio. Pp. 51.
- ORDERICI VITALIS Angligenae coenobii Utiensis monachi historiae ecclesiasticae libri XIII, in partes tres divisi. Pp. 1700. Besançon: imp. Bonvalot.
- PESCATORE (G.) Beiträge zur mittelalterlichen Rechtsgeschichte, herausgegeben von. III. Pp. clxxxiv. Berlin: Prager. 7 m.
- PINTON (P.) Le donazioni barbariche ai papi. Pp. 242. Rome. 4to. 6 l.
- STOLZENBERG-LUTTMERSEN (E. von). Die Spuren der Longobarden vom Nordmeer bis zur Donau. Pp. 56. Hanover: Hahn.

VI. MODERN HISTORY

- BAUDRILLART (A.) Philippe V et la cour de France. II: Philippe V et le duc d'Orléans. Paris: Didot. 10 f.
- CHUQUET (A.) Les guerres de la révolution (2^e série). I: Jemmapes et la conquête de la Belgique [1792-1793]. II: La trahison de Dumouriez. Paris: Cerf. 2-50 & 3-50 f.
- DAVOUT (maréchal, prince d'Eckmühl). Mémoire sur le siège et la défense de Hambourg. Pp. 127. Paris: Warée. 18mo.
- DE RIDDER (A.) Les droits de Charles-Quint au duché de Bourgogne: un chapitre de l'histoire diplomatique du seizième siècle. Pp. 160. Louvain: Peeters. 2-50 f.
- DU BOIS-MELLY. Relations de la cour de Sardaigne et de la république de Genève depuis le traité de Turin jusqu'à la fin de l'ancien régime [1754-1792]. Pp. 349. Geneva: Georg. 5 f.
- ENGLAND.—Calendar of letters, despatches, and state papers relating to

- the negotiations between England and Spain, preserved in the archives at Simancas, Vienna, Brussels, and elsewhere. VI, 1: Henry VIII [1538-1542]. Edited by P. de Gayangos. London: Published under the direction of the master of the rolls. 15/.
- GUILLEMARD (F. H. H.) The life of Ferdinand Magellan and the first circumnavigation of the globe [1480-1521]. Pp. 353, illustrations and maps. London: Philip. 4/6.
- HELLWIG (W.) Die politischen Beziehungen Clemens VII zu Karl V im Jahre 1526. Pp. 62. Leipzig: Fock.
- LIEVEN (princess) & GREY (earl), Correspondence of. Ed. and transl. by G. Le Strange. III: [1834-1841]. Pp. 370. London: Bentley. 15/.
- NITOE (I. O.) The intercourse between the United States and Japan: an historical sketch. Pp. 198. Baltimore: Johns Hopkins University Publication Agency. \$1.25.
- SEIGNOBOS (C.) Histoire de la civilisation contemporaine. Pp. 428. Paris: Masson. 16mo. 3 f.
- SPAIN.—Correspondencia de los principes de Alemania con Felipe II y de los embajadores de este en la corte de Viena [1556-1598]. (Colección de documentos inéditos para la historia de España, XCVIII.) Pp. 526. Madrid: impr. de R. Marco y Viñas. 4to. 13 pes.
- TALLEYRAND, prince de, Correspondance diplomatique. Ambassade à Londres [1830-1834]. I. Avec introduction et notes par G. Pallain. Paris: Plon. 8 f.
- TATISTCHIEFF (S.) Alexandre I et Napoléon, d'après leur correspondance inédite [1801-1812]. Paris: Perrin. 7-50 f.
- TOUSSENEL (T.) & DARSY (E.) Histoire contemporaine de 1789 à 1889. II: (1815-1889). Pp. 568. Paris: Delagrave. 18mo. 4 f.
- VANDAL (A.) Napoléon et Alexandre I. L'alliance russe sous le premier empire. I: De Tilsitt à Erfurt. Paris: Plon. 8 f.
- VENETIANISCHE Depeschen vom Kaiserhofe: Dispacei di Germania. I. Pp. 760. Vienna: Tempsky.

VII. FRENCH HISTORY

- ABBADIE (F.) Lettres d'un cadet de Gascogne sous Louis XIV: François de Sarraméa, capitaine au régiment de Languedoc. Pp. 90. Paris: Champion. 5 f.
- ALBERT DU SAINT-SAUVEUR (le P.) Les Carmes déchaussés en France. Pièces justificatives. Pp. 319. Paris: Pous-sielgue.
- ARTAUD (A.) Etudes historiques sur le dix-huitième siècle: un armateur marseillais; Georges Roux. Paris: Champion. 8-50 f.
- BARBOT (Amos.) Histoire de la Rochelle, publiée par D. d'Aussy. III. (Société des archives historiques de la Saintonge et de l'Aunis. XVIII.) Pp. 392. Paris: Picard. 15 f.
- BLANCARD (L.) Inventaire des archives départementales postérieures à 1789. Série L: Documents de la période révolutionnaire. I. Pp. 265. Marseilles: imp. Barlatier & Barthelet. 4to. 10 f.
- BLIARD (P.) Les mémoires de Saint-Simon et le père Le Tellier, confesseur de Louis XIV. Paris: Plon. 7-50 f.
- BOISSONNADE (P.) Essai sur la géographie historique et sur la démographie de la province d'Angoumois du dix-septième siècle au dix-neuvième. Pp. 184. Angoulême: Coquemard.
- BRUTAILS (J. A.) Documents des archives de la chambre des comptes de Navarre [1196-1384]. Pp. xxxvi, 204. Paris: Bouillon. 6 f.
- CHAMARD (F.) Histoire ecclésiastique du Poitou. Pp. 170. Poitiers: imp. Blais et Roy.
- DEVET (J. M.) Saint-Etienne sous la terreur; une prison en 1793 et 1794. Registre d'érou annoté. Pp. 167. Saint-Etienne: Chevalier. 2-50 f.
- FOUCART (P.) & FINOT (J.) La défense nationale dans le nord de 1792 à 1802. I. Paris: Lechevalier.
- FOURNIER (M.) La nation du Maine à l'université d'Angers au quinzième siècle. Pp. 37. Mamers: Fleury & Danguin.
- GALARD-MAGNAS (de.) Compte rendu des séances de l'administration provinciale d'Auch, avec notes et documents [1787]. Pp. 630. Agen: Lenthéric. 10 f.
- GARNIER (J.) Inventaire sommaire des archives départementales antérieures à 1790. Côte-d'Or. Archives civiles. Série C: Etats du duché de Bourgogne, comtés et pays adjacents. IV. Pp. 568. Dijon: imp. Darantière. 4to. 12 f.
- GUIRAUD (L.) Les fondations du pape Urbain V à Montpellier 2 vol. Pp. 108, 270. Montpellier: imp. Martel.
- GUYHO (C.) Etudes d'histoire parlementaire. II: Les beaux jours du second empire. Paris: C. Lévy. 12mo. 3-50 f.
- HÉRICHAULT (C. d'). Histoire anecdotique de la France. V: La révolution. Pp. 498, illustr. Paris: Bloud & Barral. 5 f.
- IMBERT DE SAINT-AMAND. La cour de Louis XVIII. Illustr. Paris: Dentu. 4to. 30 f.

- JÄGER (E.) Geschichte der socialen Bewegung und des Socialismus in Frankreich. II: Die französische Revolution und die sociale Bewegung. I: Frankreich am Vorabende der Revolution von 1789. Pp. 547. Berlin: Puttkammer & Mühlbrecht.
- JULIENNE (J.) Recueil des droits seigneuriaux avant 1789. Pp. 35. Le Mans: imp. Monnoyer.
- LIMOUSIN, Chroniques ecclésiastiques du, publiées et annotées par l'abbé A. Lecler. (Archives historiques de la Marche et du Limousin, II.) Paris: Lechevalier. 10 f.
- MANDROT (B. de). Jacques d'Armagnac, duc de Nemours [1433-1477]. Pp. 116. Nogent-le-Rotrou: imp. Daubeley-Gouverneur.
- MARIN (P.) L'art militaire dans la première moitié du quinzième siècle. Jeanne d'Arc tacticien et stratège. IV. Pp. 324. Paris: Baudoin. 18mo. 3-50 f.
- MERLET (L.) Inventaire sommaire des archives hospitalières antérieures à 1790. Hospices de Chartres. Pp. 224. Chartres: imp. Durand. 4to. 12 f.
- MILES (W. A.) Correspondence on the French Revolution [1789-1817]. Ed. by C. P. Miles. 2 vol. Pp. 912. London: Longmans. 32j.
- MONTPELLIER, Cartulaire de l'université de [1181-1400]. Pp. 766, plates. Montpellier: imp. Ricard. 4to. 20 f.
- MORTET (V.) Maurice de Sully, évêque de Paris [1160-1196]: étude sur l'administration épiscopale pendant la seconde moitié du douzième siècle. Pp. 210, plates. Nogent-le-Rotrou: imp. Daubeley-Gouverneur.
- MOSSÉ (B.) La révolution française et le rabinat français. Pp. 291. Paris: Durlacher. 5 f.
- POTIER DE COURCY (P.) Histoire généalogique et chronologique de la maison royale de France, des pairs, grands-officiers de la couronne, &c., par le père Anselme. IX: Catalogue de l'ordre du Saint-Esprit; additions et corrections. Pp. 1112, illustr. Paris: Didot. Fol. 120 f.
- PRAROND (E.) Histoire d'Abbeville. Abbeville avant la guerre de cent ans. Paris: Picard. 6 f.
- TUETÉY (A.) Répertoire général des sources manuscrites de l'histoire de Paris pendant la révolution française. I, 1. Pp. xlviii, 486. Paris: imp. Barré. 4to. 10 f.

VIII. GERMAN HISTORY

(Including AUSTRIA-HUNGARY)

- BRANDI (K.) Die Reichenauer Urkundenfälschungen, untersucht von. (Quellen und Forschungen zur Geschichte der Abtei Reichenau, I.) Pp. 132, 17 plates. Heidelberg: Winter. 4to. 12 m.
- BRAUN (C.) Geschichte der Heranbildung des Klerus in der Diocese Würzburg seit ihrer Gründung bis zur Gegenwart. I. Pp. 428. Würzburg: Stürmer.
- BUTTLAR (K. T. von). Der Kampf Joachim's I von Brandenburg gegen den Adel seines Landes. Pp. 110. Dresden: Höckner.
- HEIDEMANN (J.) Die Reformation in der Mark Brandenburg. Pp. 363. Berlin: Weidmann.
- HIRSCHFELD (L. von). Friedrich Franz II, Grossherzog von Mecklenburg-Schwerin, und seine Vorgänger. 2 vol. Pp. 416, 394, portrait. Leipzig: Duncker & Humblot. 15-60 m.
- KNEEBUSCH (Dr.) Die Politik König Wenzels, soweit sie mit dem Frankfurter September-Reichstage 1379 in Verbindung steht. Pp. 27. Dortmund: Köppen. 4to.
- LAMMERT (G.) Geschichte der Seuchen, Hungers- und Kriegsnoth zur Zeit des dreissigjährigen Krieges. Pp. 291. Wiesbaden: Bergmann.
- LAVISSE (E.) La jeunesse du grand Frédéric. Paris: Hachette. 7-50 f.
- LOSSEN (M.) Der Anfang des Strassburger Kapitelstreites. Pp. 64. 4to. Munich: Franz.
- MAYER (A.) Geschichte des Grossherzogthums Mecklenburg-Strelitz [1816-1890], nebst Chronik der Stadt Friedland [1244-1890]. Pp. 104, 19 plates. Neustrelitz: Barnewitz. 3 m.
- MÜLLER (W.) Deutschlands Einigungskriege [1864-1871]. Pp. 513. Kreuznach: Voigtländer.
- POLLHAMMER (J.) Die Protestanten von Salzburg: eine Erzählung aus der Zeit des 'Salzbundes' [1730-1731]. Pp. 112. Vienna: Gerold.
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- VARALDO (O.) *Serie dei potestà di Savona su documenti degli archivi di Savona e di Genova [1529-1606].* Pp. 41. Savona: tip. Bertolotto.
- YRIARTE (C.) *Autour des Borgia: études d'histoire et d'art.* 18 plates and 156 illustr. Paris: Rothschild. 4to. 50 f.
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- DELABORDE (comte J.) *Louise de Coligny, princesse d'Orange.* 2 vol. Paris: Fischbacher. 30 f.
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- RICHTER (F.) *Der Luxemburger Erbfolgestreit in den Jahren 1438-1443: Beiträge zur Geschichte Johannis II von Hennegau - Holland.* (Westdeutsche Zeitschrift für Geschichte und Kunst. Ergänzungsheft V.) Pp. 164. Treves: Lintz.

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- KOVALEVSKY (M.) *Modern customs and ancient laws of Russia.* Pp. 270. London: Nutt. 7/6.
- TKALČIĆ (J. B.) *Monumenta historica liberae regiae civitatis Zagrabiae, metropolis regni Dalmatiae, Croatiae, et Slavoniae.* I: *Diplomata [1093-1399].* Pp. cexix, 519. Agram: Actien-Buchdruckerei.
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- COBO (Bernabé). *Historia del Nuevo Mundo*, publicada por primera vez con notas de M. Jiménez de la Espada. I. Pp. 530. Seville: imp. Rasco. 4to. 16 pes.
- DURO (C. F.) *Estudios históricos del reinado de Felipe II: el desastre de los Gelves [1560-1561]; Antonio Pérez en Inglaterra y Francia [1591-1612]. (Colección de escritores castellanos, LXXXVIII.)* Pp. 460. Madrid: Tello. 5.50 pes.
- FIGUEROA (P. P.) *Diccionario biográfico general de Chile [1550-1889]*. Pp. 669. Santiago de Chile. 4to.
- GARCÍA DE BARRIO (Manuel). *Sucesos militares de Galicia en 1809 y operaciones de la presente guerra*. Ed. with notes, &c., by A. M. Salazar. (Biblioteca gallega, XXV.) Pp. 204. La Coruña: tip. de la Casa de Misericordia. 3.25 pes.
- LAFUENTE (M.) *Historia general de España desde los tiempos primitivos hasta la muerte de Fernando VII. XXIII, XXIV.* Pp. 393, 412. Barcelona: imp. de Montaner y Simón. 4to. Each 6 pes.
- MEDINA (J. T.) *Historia del tribunal del Santo Oficio de la Inquisición en Chile. II.* Pp. 573. Santiago de Chile: Impreso en casa del autor. 4to. 13.50 pes.
- MORET (J. de). *Anales del reino de Navarra. IV.* Pp. 414. Tolosa: López. 4to. 6 pes.
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XV. SWISS HISTORY

- BERN.—*Fontes rerum Bernensium*. Bern's Geschichtsquellen. VI, 1-3. Pp. 1-576. Bern: Schmid, Francke, & Co. Each 6 f.
- CÉRÉSOLE (A.) *Notes historiques sur la ville de Vevey depuis les temps anciens jusqu'à nos jours.* Pp. 194, illustr. Vevey: Lörtscher. 3 f.
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XVI. HISTORY OF THE UNITED STATES OF AMERICA

- ADAMS (H.) *History of the United States of America. VII-IX: The second administration of James Madison [1813-1817].* Pp. 417, map. New York: Scribner.
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Contents of Periodical Publications

I. FRANCE

Revue Historique, xlv. 1.—G. FAGNIEZ: *Richelieu and Germany* [1624–1630].—T. REINACH: *Livy's periochæ of the Social War* [their chronological system and original text].—H. HAUSER: *Anthony of Bourbon and Germany* [1560–1561], with a letter of Hotman [31 Dec. 1560].

Revue des Questions Historiques, xlix. 1.—H. DELEHAYE: *Peter of Pavia, legate of pope Alexander III* [†1182], with calendars of documents by or relating to him.—A. LECOY DE LA MARCHE: *The expedition of Philip III into Catalonia* [1285].—P. PIOLIN: *Cardinal Richelieu and his relations with the Benedictines of the congregation of St. Maur*.—L. SCHOET: *The coup d'état of 22 Floréal* [11 May 1798].—E. VACANDARD: *The Latin poems attributed to St. Bernard* [in criticism of B. Haureau].—H. BEAUDOUIN: *The death of Jean Jacques Rousseau* [probably not by suicide].

Bibliothèque de l'Ecole des Chartes, li. 5.—G. DIGARD: *The papacy and the study of civil law in the thirteenth century* [maintaining that the bull of Innocent IV, 'Dolentes,' prohibiting the study, and preserved in the 'Liber Additamentorum' of Matthew Paris, is not drawn up according to the rules of the papal chancery; that it is based upon a misunderstanding of the bull of Honorius III, 'Super Specula,' which it professes to supplement; that it runs counter to the policy of Gregory IX and of Innocent IV himself upon the subject; and that the forgery probably proceeded from Oxford and the advocates of the 'artists'].—H. MORANVILLE prints the memorial of the university and city of Paris addressed to Charles VI on the government of the kingdom [13 Feb. 1413].—M. FOURNIER: *The libraries of the colleges of the university of Toulouse* [printing the catalogues].—F. AUBERT: *The autho-*

rities for the procedure of the parliament of Paris from Philip the Fair to Charles VII [an account of the manuscripts].—P. M. PERRET: *The rules of Cicco Simonetta on the decipherment of secret writings* [4 July 1474].

Bulletin de la Société de l'Histoire du Protestantisme Français, xxxix. 11, 12. November, December.—A. GALLAND: *The temple of Caen* [1661–1685], two articles.—C. READ & A. CLEISZ print letters relating to the conference of Fontainebleau [1599–1600].—N. WEISS prints the autobiography of Jacques Cabrit [1669–1751], second and third articles [to 1700].—xl. 1. January.—H. DANNREUTHER: *Augustin Marlorat and his brother Martin* [1506–1586].—2. February.—N. WEISS: *Germain Colin, the poet, and the reformation at Angers* [1535–1545], with a document [1540].—*The autobiography of Jacques Cabrit*, fourth article [1700–1702].

Revue de Cavalerie.—November—General THOUMAS: *Exelmans* [a biography], concluded.—*The manuscript of the carabiniers*, continued [the campaigns of 1801, of 1805, and of Austerlitz].—*Historical account of the French cavalry* [the 10th and 11th hussars].—December—General THOUMAS: *Marulaz* [a biography], first article.—*Historical account of the French cavalry* [the 12th, 13th, and 14th hussars].—January—General THOUMAS: *Marulaz*, concluded.—*Operations on the communications of the army* [September 1813].—February—*Historical account of the French cavalry* [the 7th dragoons].

Revue Critique d'Histoire et de Littérature. 19 January.—C. BÉMONT: *Luard's edition of the 'Flores Historiarum'* [distinguishing the continuators of the work, especially one for the years 1263–1265 and two others for 1273–1297 and 1298–1305].

II. GERMANY AND AUSTRIA

Sybel & Lehmann's **Historische Zeitschrift** (Munich), lxx. 1.—H. VON FRIEDBERG: *Frederick the Great and the trial of Friedrich Wilhelm von*

Goerne [Prussian minister of state, 1782], a contribution to the history of Prussian maritime policy; with documents.—L. VON HEINEMANN: *Nicolas*

II's decretal concerning papal elections and the origin of the schism of 1061 [seeking to determine the original contents of the decretal of 1059 as distinguished from the additions made at the Easter synod of 1060 and the interpolations made by the party of Guibert].

—M. L. prints five letters from the correspondence of Frederick the Great with Winterfeldt [12-18 December 1755].—2.—E. LOENING: *The origin of the 'donation of Constantine'* [reviewing recent theories and deciding for a Roman, but non-papal, origin under Hadrian I, A.D. 772-781].—A. BAUER: *The second attack of Epaminondas upon Sparta* [B.C. 362].—M. L. prints some extracts from the accounts of the Prussian treasury [under Frederick II, from a report of 1798].—C. VARRENTTRAPP prints two letters of Wilhelm von Humboldt to Altenstein and Hardenberg [1809-1810].—3.—W. LANG: *Karl Friedrich Reinhard, French ambassador in Switzerland* [1800-1801].—K. WITTICH: *Magdeburg as a catholic city, 'Marienburg'* [1631].—H. DELBRÜCK: *The battle of Marathon in the light of recent excavations.*—M. L. prints the order for York's dismissal from the Prussian service.

Quidde's Deutsche Zeitschrift für Geschichtswissenschaft (Freiburg), iv. 1.

—A. CHROUST: *On the concordats of the council of Constance* [arguing that the French concordat did not, as Hübler maintained, serve alike for Italy and Spain, but that there were separate concordats for these nations; a conclusion which is placed beyond doubt by the writer's discovery of a manuscript at Vienna wherein the Spanish concordat (only differing in slight details from the French) is actually found, and where the French concordat does not contain the passage on which Hübler relied as decisive for his contention].

—M. RITTER: *On the history of Wallenstein* [1625-1629]. I: His appointment. II: The conference at Bruck [November 1626]. III: The Capuchin reports [April-May 1628, evidently the work of Valeriano Magno]. IV: Valeriano Magno unmasked.

—H. HOOGEWEG: *The preaching of the crusade in 1224 in Germany, with special reference to the archdiocese of Cologne.*—A. GOTTLOB: *The share of the nuncio Francesco Coppini in the dethronement of king Henry VI, and his condemnation by the Roman curia* [1463], with the text of the 'Consultatio auditorum Rotæ' in the case.—G. VON BELOW defends his view of the origin of the German town-constitution against C. Köhne's criticisms.—G. VON GRUNER: *The impression made by Schill's march* [April 1809] in Berlin

[from letters and reports of Justus Gruner, president of police].—F. SAUERHERING notices mistakes in Schlossberger's edition of *King Frederick of Württemberg's correspondence with Napoleon.*—A. BACHMANN: *Recent literature on German history in Bohemia.*—F. LIEBERMANN: *Survey of works on medieval English history* [full, as usual, of learned detail and criticism, with a special section on local history].—W. FISCHER: *Recent literature on Byzantine history.*—O. MASSLER: *Bibliography of German history.*

Neues Archiv der Gesellschaft für ältere Deutsche Geschichtskunde (Hanover), xvi. 2.

—B. KRUSCH: *The life of bishop Gaugerich of Cambrai* [by the author of the 'Gesta episcoporum Cameracensium'].—O. GÜNTHER: *Critical remarks on the acts of the Roman synod of 12 April 732* [printing the text from the Munich manuscript, Lat. 6355].—O. HOLDER-EGGER: *On the historical works of Johannes Codagnellus of Piacenza.* I: The 'Annales Placentini Guelfi' [certainly his composition]. II: The 'Libellus tristitiae et doloris Mediolanensis' [here maintained to be, as it stands in the Paris manuscript (Lat. 4931), a redaction of the 'Annales Mediolanenses maiores' written at Piacenza by Codagnellus]. III: *The relation of the 'Annales Placentini Gibellini' to those of Codagnellus* [arguing that the Ghibelline annals are based partly upon Codagnellus, partly upon the chronicle of Gilbert, and to a very small extent upon other annalistic notices, until 1220 when the compiler's materials become more abundant]. IV: *Notes on the 'Gesta Federici'* [hardly altered by Codagnellus]. V: *The 'Gesta obsidionis Damiatae'* [redacted by him]. VI: *The chronicle of Codagnellus* [with long excerpts].—E. SACKUR: *On the controversial writings of cardinal Deusdedit and Hugh of Fleury* [showing that the fragment printed in Canisius' 'Antiq. Lect.' (ed. Basnage), iii. 378-388, presents an earlier recension, by Deusdedit himself, of the work entitled 'Libellus contra invasores et symoniacos,' and examining the relation of Hugh of Fleury's treatise 'de regia potestate et sacerdotali dignitate' to the chronicle of Hugh of Flavigny].—K. LEHMANN: *The 'libri feudorum'* [giving a catalogue of the manuscripts].—V. KRAUSE: *The edition of the Capitularies in the 'Monumenta Germaniae'* [on the relation of the manuscripts].—T. MOMMSEN: *On Lindenberg's transcripts of a work professing to be the chronicle of Victor Tonnouensis* [really a compilation made at St. Vedast's (Vaast), near Arras,

perhaps used by Otto of Freising].—B. KRUSCH: *M. Bonnet on Gregory of Tours* [dealing with the chronology of Gregory's writings and the relation of the manuscripts].—F. W. E. ROTH describes *five imperial diplomas* [1349-1418] preserved at Eltville.

Akademie der Wissenschaften zu München. Sitzungsberichte der philol.-philol. und hist. Classe, 1890, ii. 1.—M. LOSSEN: *Heinrich von Lauenburg, archbishop of Bremen, and the part taken by the house of Austria in the Münster postulation contest* [1579-1580].—T. HEIGEL: *On the character of the emperor Leopold I* [in the light of his correspondence with count Franz Eusebius Poetting, ambassador at Madrid, extending from 1662 to 1674 and preserved in the Vienna archives].—2.—A. BECHMANN: *On the judicial functions of the pontifices in the civil procedure of ancient Rome.*—H. SIMONS-FELD: *On the Roman chancery-books and formularies* [describing the Bologna MS. Coll. Hisp. 273 of the 'Liber cancellariae,' which represents a text earlier than 1225, with collations with Erler's edition of the later Paris manuscript; and Venice and Munich Formularies (c. 1400)], with extracts [including a letter of Frederick, archbishop of Salzburg, to John XXII (August-September 1324) giving an account of the difficulties which attended the publication of the pope's proceedings against Lewis the Bavarian].—F. GREGOROVIVS prints *letters from the Acciajoli correspondence in the Laurentian library at Florence* [1360-1394].

Mittheilungen des Instituts für Oesterreichische Geschichtsforschung (Innsbruck), xi. 4.—K. VON AMIRA: *The investiture of the chancellor* [supporting H. Bresslau's view, against M. Bendiner, that the chancellor of the empire, at least from the time of the Hohenstaufen, received a formal feudal investiture; with confirmations from the reliquary of St. Heribert in the abbey church at Deutz, and from a passage in the Norwegian 'Hirðskrá'].—O. VON ZALLINGER: *The dukedom of the bishops of Würzburg* [examining the evidence, tracing the growth of the bishops' ducal dignity out of their judicial powers and responsibility for the peace of their territory, conterminous with the diocese, and explaining the extent of their fully matured authority].—H. VON VOLTELLINI: *The attempts of Maximilian I to gain the imperial crown* [1518], second article [continued from vol. xi. 1], with six documents.—F. THANER notices an *hypothesis of the late A. Nissl relative to the origin of the pseudo-Isidorian decretals* [tracing in the dedication an

anagram assigning the work to Rothad of Soissons].—F. FALK: *Corrigenda in several collections of texts and documents* [chiefly bearing on the identification of places in the middle Rhineland].—H. FINKE: *An opinion of cardinal Zabarella on the deposition of king Wenzel* [1400].

Delbrück's Preussische Jahrbücher (Berlin), lxxvii. 1. January.—A. VON ERNSTHAUSEN: *The development of the Venetian constitution.*—2. February.—E. BARRE: *Napoleon I and the Jews* [with special reference to their condition in Alsace].

Ermisch's Neues Archiv für Sächsische Geschichte und Altertumskunde (Dresden), xi. 3. 4.—S. ISSLEIB: *The imprisonment of landgrave Philip of Hesse* [1547].—G. MÜLLER prints *two educational schemes drawn up for dukes Johann Friedrich IV and Johann of Saxe-Weimar* [1580], with an introduction.—L. SCHWABE: *The church policy of the electorate of Saxony in the thirty years' war* [1619-1622].

CHURCH HISTORY

Theologische Quartalschrift (Tübingen), lxxiii. 1.—Dr. SEEFELDER: *On the chronology of popes Cornelius and Lucius I* [251-254].

Theologische Studien und Kritiken (Gotha), 1891, 2.—B. BECKER: *Zinzendorf's relations towards the Roman church.*—R. RÖHRICHT: *On the correspondence of the popes with the sultans and Mongol khans of the east in the time of the crusades*.—Dr. ENDERS prints *three letters of Luther* [1539]. N. MÜLLER prints the *decision of the Wittenberg consistory in a matrimonial suit* [1547], with comments.

Zeitschrift für Katholische Theologie (Innsbruck), xiv. 4.—The late J. WIESER: *On the character and teaching of Luther.*—xv. 1.—E. MICHAEL: *Bishop Altmann of Passau and pope Gregory VII* [disputing the attribution to him of a work in a Göttweih manuscript printed by Sdralk].—N. NILLES: *The ordination of St. Ignatius Loyola and his companions at Venice* [1537]; with a note on the titular bishops in Hungary.—E. MICHAEL: *Gregory VII's view of the origin and nature of worldly power.*—N. NILLES prints a *document of the theological faculty at Vienna* [1421] *condemning the superstitious worship of the XXIV Elders.*—A. SCHRÖDER: *On the chor-episcopi of the eighth and ninth centuries* [maintaining that they sometimes had separate dioceses].

MILITARY HISTORY

Neue Militärische Blätter (Berlin), xxvii. 6. December.—C. STICHLER:

A Swedish campaign on the ice in the beginning of the year 1658 [the winter campaign of Charles X against Denmark].—THE SAME: *Military camps historically treated*, continued.==
xxviii. 1-3. *January-March—The winter quarters of Frederick the Great* [1758-1759].—C. STICHLER: *The beginning of the army of Brandenburg - Prussia.*—Lieutenant DESCHEND: *The journal of the Hessian*

general staff in the campaign of 1792 in Champagne, continued from the June number; three articles.

Organ der Militär-wissenschaftlichen Vereine (Vienna), xli. 5.—Major K. LANG: *The siege of Lemberg in 1648 by the Cossack Hetmann Bogdan Chmielnicki.*—xlii. 1.—*The invasion of Bohemia by Frederick II* [1757] and the action of Reichenberg.

III. GREAT BRITAIN AND IRELAND

Church Quarterly Review, No. 62. *January*—Tatian's 'Diatessaron.'—Gaspard de Coligny.—The Anglican ordinal and non-episcopal ordination.—The early diary of Frances Burney.—'Capitulum Coloniense' [on the relation of archbishop Hermann of Cologne's scheme of liturgical reform, and of the 'Antididagma' of the canons of Cologne, to archbishop Cranmer's collections for the compilation of the Book of Common Prayer].

Dublin Review, 3rd Series. No. 49. *January*—Lord ARUNDELL OF WARDOUR: *Sir Edward Wyndville and Sir Thomas Arundell* [identifying the former with the earl Rivers who fought against the Moors in Spain in 1486, and giving an account of the first lord Arundell of Wardour, who served under Rudolf II against the Turks].—E. PEACOCK: *Richard Monckton Milnes*, lord Houghton.—F. M. WYNHAM: *The maid of Orleans* by the light of original documents.—W. S. LILLY: *The Jacobin movement in Ireland* [from Lecky's 'History'].

Edinburgh Review, No. 353. *January*—Mr. Lecky's 'History of England,' vii.

viii.—*The French occupation of Egypt* [1798-1801].—*The letters and journals of lady Mary Coke* [daughter of John duke of Argyll and Greenwich].

Law Quarterly Review, vii. 1. *January*—F. W. MAITLAND: *A conveyancer in the thirteenth century* [describing a collection of forms for drawing up grants and other documents, c. 1280].

Quarterly Review, No. 343. *January*—*The Grattan parliament* [on W. E. H. Lecky's 'History,' vii. viii].—*Döllinger and the papacy* [with a retrospect of the papal position].—*Russia: its people and government.*—Richard Monckton Milnes, lord Houghton.—Fraser's 'Golden Bough' [accepting his interpretation of some primitive religious customs].

Scottish Review, No. 33.—Major C. R. CONDER: *Rude stone monuments in Syria.*—J. RHYS: *The peoples of ancient Scotland* [beyond the Forth].—C. RAMPINI: *The correspondence of an old Scottish factor* [William Tod [1745-1821], factor to the fourth duke of Gordon].—Mr. Lecky on Ireland [1793-1800].

IV. ITALY

Archivio Storico Italiano (Florence), 5th ser. vi. 1.—*Proceedings of the fourth Italian historical congress held at Florence* [19-28 Sept. 1889].—2.—A. LUZZO & R. RENIER: *Francesco Gonzaga at the battle of Fornova* [1495], from documents at Mantua.—A. VIRGILI: *After the battle of Pavia: March-June 1525* [from contemporary and unpublished accounts], in continuation of an article in vol. iv.—G. LIVI prints *twenty-five letters of and to Pasquale de' Paoli*, continued [1766-1791].—E. PICCOLOMINI prints a *Greek letter of Pietro Bembo to Demetrio Mosco* [1493].—G. SFORZA: *Pius VI at the Certosa of Florence* [1798-1799].—*Calendar of Strozzi papers*, continued.

Rivista Storica Italiana (Turin), vii. 4.—

C. CIPOLLA: *The publications of the Istituto Storico Italiano.*—L. A. FERRAI: *Henry VII of Luxemburg and the republic of Venice.*

Archivio Storico Lombardo (Milan), xvii. 4.—P. GHINZONI: *The castle of Carimate*, with documents [1493-1499].—V. CIAN prints *nine unpublished letters of Andrea Alciato to Pietro Bembo* [1532-1537], with an introduction and two letters of Alciato [1550].—A. PEDRAZZOLI prints *accounts of a cruise of the marchesa Isabella d'Este Gonzaga with her court on the lake of Garda* [1514].—T. BAZZI: *A trial for witchcraft* [1520], with the evidence.—G. DE CASTRO: *The unpublished autobiographical reminiscences of the marchese Benigno Bossi* [1788-1870], with extracts.—E. M.: *Juan*

de Valladolid at the courts of Mantua and Milan [1458-1473].—L. FRATI prints a letter of the duchess Bona of Savoy to pope Sixtus IV [1476].

Archivio della R. Società Romana di Storia Patria, xiii. 3, 4.—P. SAVIGNONI: *The diary of Antonio di Pietro dello Schiavo* [1404-1417], a study introductory to a new edition of the work; with notes relating to the writer's family. E. CELANI: *The arrival of Borso d'Este, duke of Ferrara, at Rome* [1471], printing Francesco Ariosto Pelegrino's narrative, together with his 'Origine de la excelsa dignità del ducato di Ferrara.'—B. PECCI: *Contributions to the history of the humanists in Latium*: Antonio Volseo, Giovanni Sulpizio, and Novidio Fracco.—L. MARIANI: *The historical archives of Cori*, with a calendar of forty-seven documents [1283-1555, 1623, 1720].

Archivio Storico per le Province Napoletane, xv. 4.—N. BARONE: *Historical notices extracted from the registers of the court in the Angevin chancery*, concluded [1499-1501].—B. CROCE: *The theatres of Naples from the fifteenth to the eighteenth century*, continued.—G. DEL GIUDICE: *Riccardo Filangieri under Frederick II, Conrad, and Manfred*, first article [down to the crusade of 1228].—F. SAVINI: *Teramo and its municipal condition under the rule of the bishops of Abruzzo*.—G. CECI: *Churches and chapels at Naples*

recently destroyed or awaiting destruction, first article.

Archivio Storico Siciliano. New Series, xv. 1, 2.—G. B. SIRAGUSA prints from a manuscript of the sixteenth century the *Historia de recuperatione Siciliæ*, or *Brevis historia liberationis Messanæ* [formerly printed from an inferior text by Baluze. The editor believes the work to rest upon a genuine tradition at Messina, though perhaps not reduced to writing until the sixteenth century].—G. COZZA-LUZZI: *Greek inscriptions of George the admiral, his mother, and his wife* [twelfth century], and the will of abbot Gregory, founder of the monastery of S. Filippo di Fragalà.—P. M. ROCCA: *Bell-founders at Alcamo*.—S. B. LAGUMINA: *The quadrilingual inscription* [twelfth century] in the museum at Palermo, with plate.—I. CARINI: *Sicilian notes*, third series [miscellaneous].—P. CASTORINA prints a letter of Lodovico Antonio Muratori [31 July 1748].—A. SANSONE prints documents illustrating his essay on Sicily in 1837 published as an appendix to the preceding volume.

Archivio Veneto, xxxix. 2, xl. 1, 2.—Indexes to the 'Archivio,' i.-xxxviii., continued.

Rivista Militare Italiana (Rome).—January—Captain A. LUCIANO: *The campaign of Gaston de Foix in Italy* [1512].

V. RUSSIA

The Antiquary (Starina).—December—Lieutenant-general A. STRENG: *On the Danube and at Silistria in 1854* [describing the operations against the Turks and the raising of the siege of Silistria].—*Contributions to the history of the years 1812-1814* [correspondence between the minister of the interior and the governor of Vitebsk, &c.]—January—K. SCHILDER: *Borodino and Moscow* [an account of the opening of the monument in 1839, on the anniversary of the battle].—February—*The memoirs of Mochnacki; the Polish revolt* [1830-1831], continued [giving an account of the dictatorship of Chlopicki, &c.].—M. DUBELT: *Details of the emancipation of the serfs in 1861* [giving accounts of riots in the government of Yaroslav and elsewhere].

The Historical Messenger (Istoricheski Viestnik).—December—M. GORODETSKI: *Journey to Kholm, Podolia, and Besarabia* [with details of historical buildings at Kholm, once the capital of the old Russian province of Halich or Galicia].—January-February—A.

PETROV: *Russian diplomatists at the congress of Paris* [1856].—January—P. ZHUDRA: *Recollections of Alexander II* [while the writer was a pupil of the college of engineers which was visited by the emperor].—February—P. ZHUDRA: *The conflagrations in the government of Kazan* [stories of revolts among the peasants].

Journal of the Minister of Public Instruction (Zhurnal Ministerstva Narodnago Prosviestchenia).—December—N. OGLOBLIN: *Semenon Dezhnev, 1638-1671* [the discoverer of the strait separating America from Asia, now called after Behring].—January—P. MILYUKOV: *The economic condition of Russia with reference to the reforms of Peter the Great*, continued.—N. VESELOVSKI: *Ivan Khokhlov* [an account of a Russian ambassador of Persia and Bokhara in the seventeenth century].—T. USPENSKI: *The council of Constantinople in 842 and the orthodox church*.—February—A. OKSENOV: *The relations of the grand duchy of Moscow with the territory of Yugra* [on the western

slopes of the Ural Mountains, with which the colonisation of Siberia began].—E. BRELÖV: *Some remarks by way of preface to the history of*

Ivan the Terrible [a survey of the chief authorities for his reign, especially the correspondence of Kurbski with the Tsar].

VI. SPAIN

Boletín de la Real Academia de la Historia, xvii. 5. November—F. FITA prints documents relating to the Cortes and customs of Barcelona [including the Truce of God of 1168 and the crusade against Barbastro].—6. December—C. F. DURO: *Notes on the life and extracts from the manuscripts of Gonzalo de Ayora* [including an account of the interview of Ferdinand with Louis XII on his return from Naples, and the subsequent disorders in Spain; and of the rout of Diego de Córdoba by the Moors at Missaghin. Among them is a very outspoken letter

to Ferdinand's secretary on the misdeeds of the Inquisition and the royal officials].—F. FITA: *Documents relating to the early life of St. Ignatius Loyola*.—xviii. 1. January—R. CHABÁS discusses the continuous existence of the Mozarabic Christians in the kingdom of Valencia and their worship under the Moorish supremacy [showing that the church of S. Vicente de la Roqueta was that accorded to them in the city of Valencia].—F. FITA: *The visit of S. Luis Gonzaga to Saragossa and Madrid*.

VII. SWITZERLAND

Jahrbuch für Schweizerische Geschichte (Zürich), xv.—F. BERGER: *The Septimer road*; critical inquiries into the supposed remains of ancient Roman roads [maintaining that these are not of Roman origin at all, and showing that, while some sort of route existed by way of the Septimer pass from about

the year 900, there is no evidence for a regularly constructed road, capable of carrying wagons, until the latter years of the fourteenth century], with documents and extracts.—The late S. VÖGELIN: *Gilg Tschudi's documentary work in Swiss history*. II: Calendar of 166 documents.

VIII. UNITED STATES OF AMERICA

Johns Hopkins University Studies in Historical and Political Science (Baltimore), ix. 1, 2.—W. W. WILLOUGHBY and W. F. WILLOUGHBY: *The government and administration of the United States*.

Magazine of American History.—December—J. W. HARTLEY: *David Hartley and the American colonies* [signatory of the definitive treaty of peace, 3 Sept. 1783], with a portrait.—*Letters by Thomas Jefferson* [1801] and general Philip Schuyler [1776].—January—C. C. JONES, jun.: *Lynam Hall, governor of Georgia* [1783], one of the signatories of the declaration of independence.—*Letters by count de Fersen, aide-de-camp to general de*

Rochambeau, during the revolutionary war [1780–1781], translated from the French.—O. B. HALLAM: *The original treasury accounting-office*.—February—Hon. J. JAY: *The demand for education in American history* [inaugural address at the meeting of the American Historical Association at Washington, 29 Dec. 1890].—D. F. LAMSON: *The emigration from New England to New Brunswick* [1763–1764].—S. B. WEEKS: *Raleigh's settlements on Roanoke island*.—H. E. GREEN: *The Pickering manuscripts in the possession of the Massachusetts Historical Society* [illustrating American history, 1763–1829].—*Letters by count de Fersen* [1781–1783], concluded.

Errata.

In page 83, line 9, for 'Bauteogne' read 'Bauteogue.'

In page 92, note 93, for 'Grabhan' read 'Gabhán.'

THE ENGLISH HISTORICAL REVIEW

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The Introduction of Knight Service into England

‘The growth of knighthood is a subject on which the greatest obscurity prevails; and the most probable explanation of its existence in England, the theory that it is a translation into Norman forms of the thegnage of the Anglo-Saxon law, can only be stated as probable.’—STUBBS, *Const. Hist.* i. 260.

IN approaching the consideration of the institutional changes and modifications of polity resulting from the Norman Conquest, the most conspicuous phenomenon to attract attention is undoubtedly the introduction of what it is convenient to term the feudal system. In the present paper I propose to discuss one branch only of that process, namely, the introduction of that military tenure which Dr. Stubbs has termed ‘the most prominent feature of historical feudalism.’

In accordance with the anticataclysmic tendencies of modern thought, the most recent students of this obscure problem have agreed to adopt the theory of gradual development and growth. The old views on the subject are discredited as crude and unhistorical: ¹ they are replaced by confident enunciation of the theory to which I have referred.² But when we examine the matter closely, when we ask for details of the process by which the Anglo-Saxon thegn developed into the Norman knight, we are met at once by the

¹ ‘The belief which has come down to us from Selden and the antiquarian school, a belief which was hitherto universally received, that William I divided the English landed property into military fees, is erroneous, and results from the dating back of an earlier [?] later] condition of things.’ Gneist, *Const. Hist.* i. 129.

² ‘There can be no doubt that the military tenure, the most prominent feature of historical feudalism, was itself introduced by the same gradual process which we have assumed in the case of the feudal usages in general.’ Stubbs, *Const. Hist.* i. 261.

frank confession that 'between the picture drawn in Domesday and the state of affairs which the charter of Henry I was designed to remedy, there is a difference which the short interval of time will not account for.'³ To meet this difficulty, to account for this flaw in the unbroken continuity of the series, a *Deus ex machinâ* has been found in the person of Ranulf Flambard.

Now this solution of the difficulty will scarcely, I venture to think, bear the test of investigation. It appears to have originated in Dr. Stubbs's suggestion that there must have been, between the days of Henry I and of William I, 'some skilful organising hand working with neither justice nor mercy'⁴—a suggestion subsequently amplified into the statement that it is to Ranulf Flambard 'without doubt that the systematic organisation of the exactions' under William Rufus 'is to be attributed,'⁵ and that by him 'the royal claims were unrelentingly pressed,' his policy being 'to tighten as much as possible the hold which the feudal law gave to the king on all feudatories temporal and spiritual.'⁶ There is nothing here that can be called in question, but there is also nothing, be it observed, to prove that either 'feudal law' or 'military tenure' was introduced by Ranulf Flambard. Indeed, with his usual caution and unfailing sound judgment, our great historian is careful to admit that 'it is not quite so clear' in the case of the lay as of the church fiefs 'that all the evil customs owed their origin to the reign of William Rufus.'⁷ And, even if they did, they were, it must be remembered, distinctly abuses—'evil customs,' as Henry I himself terms them in his charter—namely (in the matter we are considering) 'excessive exactions in the way of reliefs, marriages and wardships, debts to the crown, and forfeiture. In the place,' we are told, 'of unlimited demands on these heads, the charter promises, not indeed fixed amercements, but a return to ancient equitable custom.'⁸ All this refers, it will be seen, to the abuse of an existing institution, not to the introduction of a new one. The fact is that Ranulf's proceedings have been assigned a quite exceptional and undue importance. Broadly speaking, his actions fall under a law too often lost sight of, namely, that when the crown was strong it pressed, through the official bureaucracy, its claims to the uttermost; and when it found itself weak, it renounced them so far as it was compelled. Take, for instance, this very charter issued by Henry I, when he was 'playing to the gallery,' and seeking general support: what was the value of its promises? They were broken, says Mr. Freeman, to the Church.⁹ They were probably broken, says Dr. Stubbs, to the knights;¹⁰ and they were certainly broken, I may add, to the unfortunate tenants-

³ Stubbs, *C.H.* i. 260-1. So too Freeman.

⁴ i. 261.

⁵ i. 298.

⁶ pp. 298, 301.

⁷ i. 300.

⁸ *Select Charters*, p. 96.

⁹ *Norm. Conq.* v. 380.

¹⁰ *C. H.* i. 581.

in-chief, whom the Pipe Roll of 1130 shows us suffering from those same excessive exactions, of which the monopoly is assigned to Ranulf Flambard, and which 'the Lion of Justice' had so virtuously renounced. I might similarly adduce the exactions from the Church by that excellent king, Henry II (1159), 'contra antiquum morem et debitam libertatem;' but it is needless to multiply examples of the struggle between the interests of the crown and those of its tenants-in-chief, which was as fierce as ever when, in later days, it led to the provisions of the Great Charter. What the barons, lay and spiritual, complained of from first to last, was not the feudal system that accompanied their military tenure, but the abuse of that system in the excessive demands of the crown.

Mr. Freeman, however, who has an equal horror of Ranulf Flambard and of the 'feudal system,' does not hesitate to connect the two more closely even than Dr. Stubbs, though invoking the authority of the latter in support of his extreme views. The passages to which I would invite attention, as expressing most concisely Mr. Freeman's conclusions, are these:—

The system of military tenures, and the oppressive consequences which were held to flow from them, were a work of the days of William Rufus.

If then there was any time when 'the Feudal System' could be said to be introduced into England, it was assuredly not in the days of William the Conqueror, but in the days of William the Red. It would be more accurate to say that all that we are really concerned with, that is, not an imaginary 'Feudal System,' but a system of feudal land-tenures, was not introduced into England at all, but was devised on English ground by the malignant genius of the minister of Rufus.¹¹

As the writer's line of argument is avowedly that of Dr. Stubbs, it is only necessary to consider the point of difference between them. Where his predecessor saw in Henry's charter the proof that Ranulf Flambard had abused the existing feudal system by 'excessive' and 'unlimited' demands, Mr. Freeman holds, and endeavours to convince us, that he had introduced not merely abuses of the system, but the actual system itself.¹² The question virtually turns on the first clause of the charter;¹³ and it will not, I think, be doubted that Dr. Stubbs is right in adopting its natural meaning, namely, that the novelty introduced by Ranulf was not the *releium* itself, but its abuse in 'excessive exactions.' Indeed, even

¹¹ N. C. v. 377; cf. *History of William II*, pp. 335, 337, 'The whole system, a system which logically hangs together in the most perfect way, was the device of the same subtle and malignant brain.'

¹² *Ibid.* p. 374.

¹³ *Sî quis baronum, comitum meorum sive aliorum qui de me tenent, mortuus fuerit, heres suus non redimet terram suam sicut faciebat tempore fratris mei, sed justa legitima relevatione relevabit eam.*

Mr. Freeman has virtually to admit the point.¹⁴ If, then, the argument breaks down, if Ranulf cannot be shown to have 'devised' military tenure, how are we to bridge over the alleged chasm between the date of Domesday (1086) and that of Henry's charter (1101)? The answer is simply that the difficulty is created by the very theory I am discussing: it is based on the assumption that William I did not introduce military tenure,¹⁵ combined with the fact that 'within thirteen years after the Conqueror's death, not only the military tenures, but the worst abuses of the military tenures, were in full force in England.'¹⁶ But, here again, when we examine the evidence, we find that this assumption is based on the silence, or alleged silence, of Domesday book.¹⁷ Now no one is better aware than Mr. Freeman, as an ardent student of 'the great Record,' that to argue from the silence of Domesday is an error as dangerous as it is common. Speaking from a rather wide acquaintance with topographical works, I know of no pitfall into which the local antiquary is more liable to fall. Wonderful are the things that people look for in the pages of the great survey; I am always reminded of Mr. Secretary Pepys' writing for information as to what it contained 'concerning the sea and the dominion thereof.'¹⁸ Like other inquests, the Domesday Survey—'the great inquest of all,' as Dr. Stubbs terms it—was intended for a special purpose; special questions were asked, and these questions were answered in the returns. So with the 'Inquest of Sheriffs' in 1170; so also with the Inquest of Knights, if I may so term it, in 1166. In each case the set of questions asked is preserved to us, and in each they are entirely different. Therefore, when Mr. Freeman writes—

The survey nowhere employs the feudal language which became familiar in the twelfth century. Compare, for instance, the records in the first volume of Hearne's '*Liber Niger Scaccarii*.' In this last we find something about knights' fees in every page. In Domesday there is not a word.¹⁹

¹⁴ 'In that charter the military tenures are taken for granted. What is provided against is their being perverted, as they had been in the days of Rufus, into engines of oppression.' *N. C. v.* 373.

¹⁵ *N. C. v.* 372; *C. H. i.* 261.

¹⁶ *N. C. v.* 373.

¹⁷ Palgrave, as Mr. Freeman observes, 'strongly and clearly brought out the absence of any distinct mention of military tenures in Domesday.' Dr. Stubbs more cautiously wrote: 'The wording of the Domesday Survey does not imply that in this respect the new military service differed from the old.' (*C. H. i.* 262.) Mr. Freeman confidently asserts: 'Nothing is more certain than that from one end of Domesday to the other, there is not a trace of military tenures as they were afterwards understood. . . . We hear of nothing in Domesday which can be called knight service or military tenure in the later sense.' (*N. C. v.* 370, 371.) Mr. Hunt (*Norman Britain*) follows the same line, and Gneist, vouching Palgrave, Stubbs, and Freeman, repeats the argument. (*C. H. i.* 130.)

¹⁸ 'I spoke to Mr. Falconberge to look whether he could out of Domesday Book give me anything concerning the sea and the dominion thereof' (1661).

¹⁹ *N. C. v.* 465.

—it is in no spirit of captious criticism, but from the necessity of demolishing the argument, that I liken it to basing conclusions on the fact that in the census returns we find something about population in every page, while in the return of owners of land there is not a word. As the inquest of 1166 sought solely for information on knights and their fees, the returns to it naturally contain ‘something about knights’ fees in every page;’ on the other hand, ‘the payment or non-payment of the *geld* is a matter which appears in every page of the survey’ [of 1086] because ‘the formal immediate cause of taking the survey was to secure its full and fair assessment.’²⁰ Nor is this all. When the writer asserts that ‘in Domesday there is not a word’ about knights’ fees, he greatly overstates his case, as indeed is shown by the passages he proceeds to quote. I shall be able to prove, further on, that knights’ fees existed in cases where Domesday does not mention them, but even the incidental notices found in the Great Survey are quite sufficient to disprove its alleged silence on the subject. As Mr. Freeman has well observed :—

Its most incidental notices are sometimes the most precious. We have seen that it is to an incidental, an almost accidental notice in the Survey that we owe our knowledge of the great fact of the general redemption of lands.²¹

Here then the writer does not hesitate to base on a single accidental notice the existence of an event quite as widespread and important as the introduction of knight service.²²

I have now endeavoured to make plain one of the chief flaws in the view at present accepted, namely, that it is mainly grounded on the negative evidence of Domesday, which evidence will not bear the construction that has been placed upon it,—and further that, even if it did, we should be landed in a fresh difficulty, the gulf between Domesday and Henry’s charter being only to be bridged by the assumption that Ranulf Flambard ‘devised’ and introduced military tenure, with its results—an assumption, we have seen, which the facts of the case not only fail to support, but even discountenance wholly.

Let us pass to a second difficulty. When we ask the advocates of the view I am discussing, what determined the number of

²⁰ *N. C. v. 4.*

²¹ *Ibid.* p. 42.

²² As so much stress has been laid on the argument from Domesday, it is desirable further to demonstrate its worthlessness by referring to the Lindsey Survey (badly published by Hearne in the *Liber Niger*; englished from Hearne’s text and edited by Mr. Chester Waters; published in facsimile, with text and translation, by Mr. James Greenstreet). This survey can only be a few years previous to 1120 (Mr. Waters’ alleged demonstration of its date will not stand examination, as I have elsewhere shown), and was therefore made at a time when, *ex hypothesi*, feudal tenures had been established for some time. Yet here, also, page after page may be searched in vain for any mention of ‘knights’ or ‘fees.’

knights due to the crown from a tenant-in-chief, we obtain, I venture to assert, no definite answer. At times we are told that it was the number of his hides; at times that it was the value of his estate. Gneist, who has discussed the matter in detail, and on several occasions, has held throughout, broadly speaking, the same view: he maintains that 'since Alfred's time the general rule had been observed that a fully equipped man should be furnished for every five *hidæ*, but it had never been established as a rule of law as in the Carolingian legislation.'²³ consequently, he urges, 'a fixed standard for the apportionment of the soldiery was wanting' at the time of the Conquest, and this want was a serious flaw in the Anglo-Saxon polity. William resolved to make the system uniform, and

the object that the royal administration now pursued for a century was to impose upon the whole mass of old and new possessors an equal obligation to do service for reward. The standard adopted in carrying out this system was approximately that of the five hides possession of the Anglo-Saxon period; yet with a stricter rating according to the value of the produce.²⁴

The difficulty encountered in ascertaining this value was a main cause of the Domesday Survey being undertaken. This is Gneist's special point on which he invariably insists: 'Domesday book laid the basis of a roll of the crown vassals;'²⁵ upon it, 'in later times, the fee-rolls were framed.'²⁶ By its evidence, 'according to the extent and the nature of the productive property, could be computed how many shields were to be furnished by each estate, according to the gradually fixed proportion of a 20*l.* ground rent.'²⁷ For 'the *feuda militum* thus computed are no knights' fees of a limited area,'²⁸ but 'units of possession,' the unit being 20*l.* in annual value.

Dr. Stubbs, on the other hand, while rejecting the view that military service, since the days of Alfred, had been practically fixed at one warrior for every five hides,²⁹ leans nevertheless to the belief that the knight's fee was developed out of the five-hide unit, and that the military 'service' of a tenant-in-chief was determined by the number of such units which he possessed. But, as he also recognises the 20*l.* unit, there will be less danger of misrepresenting his views if I append *verbatim* the relevant passages:—

²³ Gneist, *C. H.* i. 132.

²⁴ i. 118.

²⁵ i. 156, 133, 124.

²⁶ i. 130.

²⁷ i. 156.

²⁸ i. 133.

²⁹ Stubbs, *C. H.* i. 192. I do not quite understand the passage that 'it is probable that the complete following out of the Frank idea [exact proportion of service to hides] was reserved for Henry II, unless his military reforms are to be understood, as so many of his other measures are, as the revival and strengthening of anti-feudal and pre-feudal custom.' (*Ibid.*) The allusion is, clearly, to the assize of arms; but was that assize based on fixed quantities of land? Mr. Little has discussed the five-hide question in the *ENGLISH HISTORICAL REVIEW*, No. xvi. pp. 726-9.

The customary service of one fully armed man for each five hides was probably the rate at which the newly endowed follower of the king would be expected to discharge his duty . . . and the number of knights to be furnished by a particular feudatory would be ascertained by inquiring the number of hides that he held.³⁰

The number of hides which the knight's fee contained being known, the number of knights' fees in any particular holding could be easily discovered.³²

All the imposts of the . . . Norman reigns were, so far as we know, raised on the land, and according to computation by the hide : . . . the feudal exactions by way of aid . . . were levied on the hide.³³

The value of the knight's fee must already have been fixed at twenty pounds a year.³¹

It cannot even be granted that a definite area of land was necessary to constitute a knight's fee ; . . . It is impossible to avoid the conclusion that the extent of a knight's fee was determined by rent and valuation rather than acreage, and that the common quantity was really expressed in the twenty librates, &c.³⁴

The variation in the number of hides contained in the knight's fee.³⁵

Mr. Freeman's views need not detain us, for he unhesitatingly accepts Dr. Stubbs's arguments as proving that the Norman military tenure was based on 'the old service of a man from each five hides of land.'³⁶

We find then, I submit, that the recognised leaders of existing opinion on the subject cannot agree among themselves in giving us a clear answer, when we ask them what determined the amount of 'service' due from a Norman tenant-in-chief, or, in other words, how that 'service' was developed in unbroken continuity from Anglo-Saxon obligations.

The third point that I would raise is this. Even assuming that the amount of 'service' bore a fixed proportion—whether in pecuniary or territorial writs—to the extent of possession, we are, surely, once at confronted by the difficulty that the owner of x units of possession would be compelled, for the discharge of his military obligations, to enfeoff x knights, assigning a 'unit' to each. A tenant-in-chief, to take a concrete instance, whose fief was worth 100*l.* a year, would have to provide *ex hypothesi* five knights ; if, as was quite usual, he enfeoffed the full number, he would have to assign

³⁰ i. 262.

³¹ i. 262.

³² C. H. i. 386.

³³ i. 581.

³⁴ i. 264-5.

³⁵ i. 432.

³⁶ 'The growth of the system of knights' fees out of the older system of hides is traced by Stubbs. The old service of a man from each five hides of land would go on, only it would take a new name and a new spirit' (N. C. v. 866).

to each knight twenty librates of land (which I may at once, though anticipating, admit was the normal value of a knight's fee), that is to say, the crown would have forestalled Henry George, and the luckless *baro* would see the entire value of his estate swallowed up in the discharge of its obligations.³⁷ What his position would be in cases where, as often, he enfeoffed more knights than he required, arithmetic is unable to determine. I cannot understand how this obvious difficulty has been so strangely overlooked.

The fourth and last criticism which I propose to offer on the subject is this. If we find that under Henry II—when we meet with definite information—a fief contained, as we might expect, more 'units of possession' than it was bound to furnish knights (thus leaving a balance over for the *baro* after subinfeudation), we must draw one of two conclusions: either this excess had existed from the first; or, if the fief (as we are asked to believe) was originally assessed up to the hilt for military service, that assessment must, in the interval, have been reduced. In other words, Henry I—if, as Dr. Stubbs in one place suggests,³⁸ he was the first to take a 'regular account of the knights' fees'—must have found the land with a settled liability of providing one knight for every five hides, and must, yet, have reduced that liability of his own accord, on the most sweeping scale, thus, contrary to all his principles, ultroneously depriving himself of the 'service' he was entitled to claim.

Having completed my criticisms of the accepted view, and set forth its chief difficulties, I shall now propound the theory to which my own researches have led me, following the same method of proof as that adopted by Mr. Seebohm in his 'English Village Community,' namely, working back from the known to the relatively unknown, till the light thrown upwards by the records of the twelfth century illumines the language of Domesday and renders the allusions of monks and chroniclers pregnant with meaning.

I. *The Cartae of 1166.*

In the formal returns (*cartae*) made to the exchequer in 1166 by the tenants-in-chief (*barones*) of England, of which the official transcripts are preserved in the *Liber Niger* and the *Liber Rubens*, we have our earliest glimpse of the organisation of that purely feudal host among whom our lands had been parcelled out to be held, as I shall show, by military service. We have, therefore, in them our best starting-point for an inquiry into the origin and growth of military tenure in England.

It may be well perhaps, at the very outset, to contrast these

³⁷ This argument, of course, applies, *mutatis mutandis*, to a five-hide unit as well.

³⁸ *C. H.* i. 265.

cartae of 1166 with those of the Domesday Inquest eighty years before.³⁹ For the essentially feudal character of the former is at once, by the comparison, thrown into relief. The original returns of the Domesday Inquest were made hundred by hundred; those of 1166 were made fief by fief. The former were made by the jurors of the hundred court; the latter by the lord of the fief. Thus, while the one took for its unit the oldest and most familiar of native organisations, the other, ignoring not only the hundred, but even the shire itself, took for its unit the alien organisation of the fief.⁴⁰ The one inquest strictly continued, the other wholly repudiated, the Anglo-Saxon system.

It is consequently worse than lost labour to examine these two inquests, based as they are on opposite systems, and giving us as they do a cross division, as if they were but successive editions of the national register or rate-book.

The first point to be considered is this: What was the information which the tenants-in-chief were called upon to supply in these returns? It was *not*, as Dr. Stubbs and others have supposed, the amount of 'service' due from each fief to the crown.⁴¹ The information asked for was *the number of 'militēs' actually enfeoffed* by each 'baron' and his predecessors in title, with the number of 'servitia' due from each such 'miles' to the 'baron.' In this distinction, missed by Dr. Stubbs, we find the key to the problem. The crown, we shall see, must previously have known the total amount of 'service' due from each fief; but what it did not know, and what it wished to know, was the number of knights' fees which, up to 1166, had been created on each fief.

Although there is great diversity in the form of return adopted—a diversity which imparts to the *cartae* a pleasant flavour of character—it may fairly be assumed that, as in similar cases, they were called for throughout the realm, by one uniform writ. If we may deduce the purport of that writ from the collation of those returns which refer to it most explicitly, we must infer that the information asked for was to be given under four heads:—

(1) How many knights had been enfeoffed before the death of Henry I?

(2) How many have been enfeoffed since?

(3) How many (if any) remain to be enfeoffed to complete the

³⁹ Henry of Huntingdon (p. 207) speaks of the Domesday returns by the same name (*cartae*).

⁴⁰ *Domesday Book* occupies a medial position, being arranged under counties, but within each county, under fiefs.

⁴¹ Compare *carta* of the bishop of Exeter, *Praecepistis mihi quod mandarem vobis non quot servitia militum vobis debeam*. Dr. Stubbs writes: 'The king issued a writ to all the tenants-in-chief of the crown, lay and clerical, directing each of them to send in a cartel or report of the number of knights' fees for the service of which he was legally liable' (*Cons. Hist.* i. 584).

'service' due from the fief; or, in other words, what is the balance of your 'service' remaining chargeable to your 'demesne'?

(4) What are the names of your knights?

In support of these statements I append the whole of the relevant returns.

BISHOP OF EXETER.

Praecepistis mihi quod mandarem vobis per breve meum sigillatum et apertum, non quot servitia militum vobis debeam, sed (1) quot habeam milites feffatos de tempore Regis Henrici avi vestri, et (2) quot post mortem ipsius, et (3) quot sint super dominium meum.⁴² (p. 248.)

ARCHBISHOP OF YORK.

Praecipit dignitas vestra omnibus fidelibus vestris clericis et laicis, qui de vobis tenent de capite in Eboracsira, ut mandent vobis per literas suas, extra sigillum pendentes, (1) quot milites quisquis habeat de veteri, feffamento de tempore Regis Henrici avi vestri, scilicet de die et anno quo ipse fuit vivus et mortuus, et (2) quot habeat de novo feodamento feffatos post mortem bonae memoriae avi vestri ejusdem, et (3) quot feoda militum sint super dominium uniuscujusque, et (4) omnium illorum nomina, tam de novo feffamento quam de veteri feffatorum quae sint in illo brevi scripta, quia vultis quod si aliqui ibi sunt qui vobis nondum fecerunt ligantiam, et quorum nomina non sunt scripta in rotulo vestro, quod infra dominicam primam xl^{ae} ligantiam vobis faciant (p. 412).

BISHOP OF DURHAM.

Praecipit nobis, domine, vestra sublimitas, quod literis nostris sigillatis, extra sigillum pendentibus, vobis mandaremus (1) quot milites feffatos haberemus de veteri feffamento et (2) de novo, scilicet, anno et die quo Rex Henricus fuit vivus et mortuus et de [*sic*] post mortem ejus . . . (3) super dominium vero nostrum, de quo similiter mandare praecipistis, etc. (pp. 416, 418).

HERBERT DE CASTELLO.

Michi et comparibus meis mandastis ut vobis per breve nostrum pendens extra sigillum, mandaremus (1) quot milites antiquitus feodatos de tempore Regis Henrici avi vestri habeamus et (2) quot de novo feoda-

ENGELARD DE STRATTONE.

Michi et ceteris comparibus meis qui de vobis tenemus in capite per literas vestras mandastis ut vobis per breve nostrum pendens extra sigillum mandaremus (1) quot milites habeamus de veteri feodamento de tem-

ROBERT DE BRINTONE.

Michi et aliis comparibus meis per litteras vestras innotuistis ut per fidem et ligantiam quam vobis debemus per breve nostrum pendens extra sigillum mandaremus (1) quot milites haberemus de veteri feodamento de tem-

⁴² The bishop of 'Coventry' expresses it:—*numerum . . . eorum si quos in dominio tenemus, et eorum nomina* (p. 263).

mento. . . . Et hii omnes
ligantiam et homagium
vobis fecerunt (pp.275-6).

pore Henrici Regis avi
vestri, et (2) quot ha-
beamus de novo feoda-
mento (p. 276).

pore Henrici Regis avi
vestri, et (2) quot milites
haberemus de novo feoda-
mento post tempus Regis
Henrici avi vestri, et (3)
quot milites habeamus
super dominium nostrum
. . . . Et vobis quidem et
filio vestro ligantiam et
homagium fecerunt (p.
277).⁴³

Let me here break off for a moment to consider one of the most important points suggested by this great inquest, namely, the issue of the writs under which it was held. It has been generally assumed that each tenant received his writ direct from the crown; and a casual reading of the *cartae* might, perhaps, favour such a view. I have, however, been led to the conclusion that a general writ was issued to the sheriff of each county, and that its terms were communicated by him to the several tenants-in-chief, whose *capita baroniae* lay within his jurisdiction.

Baderun of Monmouth has heard the writ read out in the county court;⁴⁴ Earl Patrick, also, has heard the writ read out.⁴⁵ William fitz Siward derives from the sheriff, he tells us, his knowledge of the writ: ⁴⁶ even the bishop of Chester has received his instructions from the sheriff.⁴⁷ But more especially do I rely upon the return of the archbishop of York because he recites the tenor of the writ in terms which can leave no doubt that it was addressed, through the sheriff, to the whole shire collectively.⁴⁸ If the archbishop of York did not receive a special writ, we may fairly infer that no other tenant can have done so.

Further, I believe that as the 'barons' received their instructions from the sheriffs, so they also sent in their returns through those officers. The memorandum, for instance, on the missing *carta* of Osbert fitz Hugh informs us that it was brought to the exchequer by William de Beauchamp. Now William de Beauchamp was sheriff of the shire. This would account for the grouping of the returns 'per singulos comitatus,' as Swereford expresses it, and

⁴³ These references are to the pages of the forthcoming edition of the *Liber Rubens*. It will be observed that the second three returns are too closely alike for accidental coincidence; the three Shropshire 'barons' who made them must have been in some communication. Note here their remarkable use of the term 'compares.'

⁴⁴ *Audivi praeceptum vestrum in consulatu Herefordiae.*

⁴⁵ *Audito praecepto vestro.*

⁴⁶ *Praeceptum vestrum, per totam Angliam divulgatum, per viccomitem vestrum Norhumberlande ad me, sicut ad alios, pervenit.*

⁴⁷ *Mandavit nobis . . . Vicecomes Stephanus, ex parte vestra, quatinus etc.*

⁴⁸ *Praecepit dignitas vestra omnibus fidelibus vestris, clericis et laicis, qui de vobis tenent in capite in Eboracsira mandent etc. . . . Quorum ego unus etc. . . .*

indeed this arrangement would but follow the existing practice of collecting the scutage shire by shire.

Returning now to the terms of the inquiry, it is obvious that the tenant (*baro*) to whom such queries were addressed must of necessity have belonged to one of these three classes—

(a) Those who had created *the exact number* of knights' fees sufficient to discharge their 'service.'

(b) Those who had created *more* than sufficient.

(c) Those who had created *less* than sufficient.

This last class requires some explanation. When the number of knights' fees created was not sufficient to discharge the baron's 'service,' the balance of that service remained charged on the non-infeudated portion of his fief, that is, on the 'demesne,' and was technically said to be 'super dominium.' It is all-important that this should be grasped, for it might otherwise be supposed that such a phrase as 'quot milites super dominium' implied the existence of actual knights enfeoffed on the demesne, which, to those who realise the working of the system of knight-service, is an absolute contradiction in terms. This, it will be found, beautifully explains the first article of the assize of Arms (1181)—that every tenant is to keep in stock harness for as many knights 'quot habuerit feoda militum in dominio suo.'⁴⁹ That is to say, that if, after deducting the knights actually enfeoffed, there remained due from his fief a balance of knight-service, he must keep in readiness harness sufficient for those knights whom he would have to provide, himself, to discharge that balance.⁵⁰

Having made this point clear, I now pass to the immediate object of the inquest of 1166. What that object was, no one has as yet discovered. Dr. Stubbs, for instance, in his preface to the Pipe Roll of 1166, writes: 'On the immediate purpose for which the inquiry was made—and it can scarcely be doubted that it was for the collection of a scutage—we shall look for further information in the rolls of the succeeding years.' My own researches enable me to assert that this inquest formed part of a financial revolution hitherto ignored, which deserves to be compared with those other innovations in administration and finance that characterised the latter half of the twelfth century in England.

When we come to place side by side the returns of 1166 and the payments made, upon those returns, in 1168, we find (at least, on the lay fiefs) the same distinction in both between 'the old feoffment' and 'the new.' But while the *returns*, as we saw,

⁴⁹ It should be scarcely necessary to warn the reader against confusing the *dominium*, or non-infeudated portion of the entire fief with the *dominium*, or demesne portion, of each manor upon that fief.

⁵⁰ An instance in point is afforded by the Bardolf barony (*i.e.* fief) temp. John:—*Heres Dodon' Bardulf tenet feoda xxv militum per totum. Inde xv milites sunt feoffati et x feoda sunt super dominicum* (Testa de Nevill, p. 19).

were made under three heads,⁵¹ the *payments* were made under two, namely, under the two feoffments. The reason of this difference can be established beyond dispute: the exchequer clerks had, in every instance, added the returns under the *third* head to those under the *first*, and classed them together as 'old feoffment.' This is one of the points which, I think, have never been hitherto explained.

Plenty of examples might be given, but these two will suffice. Walter de Aincourt returns 24 fees *de veteri*, 5 *de novo*, and 11 *super dominium*. The exchequer, in 1168, records him as paying on 35 fees *de veteri*, and on 5 *de novo*.⁵² Richard de Haie returns 11 fees *de veteri*, 4 *de novo*, and 5 *super dominium*. The exchequer records him as paying on 16 *de veteri* and 4 *de novo*.

The main point, however, on which I propose to insist, is that these returns were intended to provide, and, as a matter of fact, did provide, a new feudal assessment, wholly superseding the old one, in no case to the advantage of the tenant, but in many to the advantage of the crown. The *modus operandi* was as follows. Instead of either adhering to the old assessment (*servitium debitum*), or uniformly substituting a new one based on the fees actually created, the crown selected in every case whichever of these two systems told in its own favour and against the tenant of the fief. If he had enfeoffed fewer knights than his *servitium debitum* required, the crown retained that *servitium* as the irreducible minimum of his assessment; but if he had created an excess of fees, the crown added that excess to his pre-existing assessment and increased the 'service' due from him *pro tanto*. This discovery is no conjecture, but is capable of arithmetical demonstration.

It should be noticed how skilfully the queries were framed, in the inquest of 1166, to entrap the unwary tenant, and make him commit himself to the facts. If his enfeoffed knights were short of the required number, he was caught under the third query; if, on the other hand, he had an excess, he was caught under the others. Now, did the 'barons,' when they made these returns, anticipate this sweeping and unwelcome reform? Presumably not. They appear to have drawn up their *cartae* carefully and willingly, few of those who had an excess of knights taking even the precaution of mentioning their *servitium debitum*.⁵³ The church, moreover, from

⁵¹ (1) Old feoffment, (2) new feoffment, (3) demesne.

⁵² He and his successors are consequently found paying, time after time, on thirty-five fees.

⁵³ William de Beauchamp, of Worcestershire, is virtually a solitary exception. He inserts, *cavendi causa*, this significant clause:—*De liis praeominatis non debeo Regi nisi servitium vii militum, nec antecessores mei unquam plus fecerunt, sed quia dominus Rex praecepit michi mandare quot milites habeo et eorum nomina, ideo mando quod istos [i.e. 16] habeo fefatos de veteri feffamento; sed non debeo Regi nisi servitium vii militum.* But William was a sheriff at the time, and may have had special information which put him on his guard.

the terms in which her payments are thenceforth entered (*vide infra*), must have uniformly and systematically adopted an attitude of protest. Yet there is no trace of such protest. May we then infer that the crown sought to deliberately entrap its tenants? Two circumstances might favour that view. In the first place the tenants had to make their returns *extra sigillum pendentes*, thereby solemnly committing themselves;⁵⁴ in the second, the tenants would, of course, have been tempted to conceal or understate their excess of knights, had they foreseen the use that the crown would make of their returns.

The question may very fairly be asked, 'What check had the crown upon a tenant in the event of the latter omitting some of his "excess" fees?' The answer is supplied, I think, by a clause in the invaluable return of the northern primate. He there requests that his return may be accepted 'without prejudice,' as a lawyer would say, in case of his omitting some small fees. That is to say, these formal returns might be brought up as evidence against tenants-in-chief who had omitted some of their fees, proving that they had thereby themselves disowned their right to the fees in question.⁵⁵

Two points strike one strongly in the preparation of these returns. The first of these is the difficulty experienced in compiling a correct list of under-tenants and their holdings; the second is the employment of the 'Inquest' as a means of ascertaining the particulars.

Taking the former of these, we find Hugh Wac writing, '*si amplius inquirere possim, notificabo vobis*;' and Guarine 'de Aula,' '*si plus possim inquirere, faciam vobis scire*;' so too the bishop of Ely, '*de hiis vero certi sumus, et si amplius inquirere poterimus libenter vobis significabimus*;' and the bishop of Bath, '*si certiores inquirere poterimus veritatem, nos illam vobis significabimus*;' and Alfred of Lincoln, '*si plus inquiri potest, inquirere faciemus*.' The bishop of Exeter makes his return, '*sicut eam diligentius inquirere potui*;' the abbot of Tavistock, '*quantum inde sollicitius inquirendo scire potuit*.' Hugh de Lacy, in a postscript to his return, adds a fee '*quod oblitus sum*;' while the earl of Clare has to send in a subsequent rider, containing an entry, '*quod ego, postquam misi cartam . . . recordatus sum*.'

From this difficulty it is a short step to the inquests which it seems in some cases to have necessitated. The abbot of Ramsey

⁵⁴ Compare the case of the Irish bishops six years later (1172), who sent the king *litteras suas in modum cartae extra sigillum pendentes* (Howden). Note also that the addition of the seal made the return essentially a *carta*.

⁵⁵ The point is of some importance in its bearing on the right of the individual to assess himself, which is held in this case to have been exercised. 'The assessment,' writes Dr. Stubbs, 'of the individual depended very much on his own report, which the exchequer had little means of checking.' (*C. H.* i. 585.)

heads his return, '*Haec est inquisitio*;' the earl of Warwick similarly commences, '*Hoc est quod inquisiri per homines*.' Earl Patrick makes his return, '*secundum quod de probis et antiquis hominibus meis inquirere potui*.' '*Fecimus inquirere*,' writes the bishop of Bath, '*per legales homines meos*. . . . *Haec autem per eos inquisimus*.'

This brings us directly to the very important inquest referred to in the *carta* of the earl of Arundel:—

Dominus noster Rex Henricus quadam contentione quae surrexit inter milites de honore de Arundel de exercitu quodam de Walliis, elegit iij milites de honore, de melioribus et legalioribus, et antiquioribus . . . et fecit eos recognoscere servitia militum de honore, et super legalitatem et sacramenta eorum inde neminem audire voluit.

Mr. Eyton argued elaborately on genealogical grounds that this inquest must have taken place under Henry I, but indeed it is quite obvious from the language of the *carta* itself that this was so. It is, consequently, worthy of notice for its bearing on 'the sworn inquest.' While on this subject attention may be called to the unique entry in the Pipe Roll of 12 Henry II (1166): '*Alanus de Munbi debet xls. quia non interfuit Jurat' feodorum militum*' (p. 8). Investigation proves (through what is known as the Lindsey Survey) that Alan was an under-tenant of the honour of Brittany, the successor of that Eudo who held in Mumby temp. Domesday. This fact throws light on the entry, by suggesting that the inquest referred to concerned the honour of Brittany, the number of fees in which was then and subsequently doubtful.

But to return. It is infinitely easier to trace the change brought about by the inquest of 1166 in the case of the church fiefs than of the lay ones. For on the former it was uniform and glaring. Previously to 1166 the church tenants had paid on their *servitium debitum* alone; after 1166 they paid, as a rule, on all the fees actually created upon the fief. Thus the assessment of the bishop of Durham was raised at a blow from ten fees to more than seventy.⁵⁶ There were several equally striking cases among the prelates. Now, whether or not the church tenants feared something of the kind, they had generally been careful in their returns to set forth their *servitium debitum*, and when, in 1168, they were uniformly assessed on their total of fees, their uniform protest is expressed in the formula '*quos non recognoscit*' applied to the payment on their excess knights. Such is the meaning of this puzzling formula, which is

⁵⁶ By one of those slips so marvellously rare in his writings, Dr. Stubbs writes that 'the bishop of Durham's service for his demesne land was that of ten knights, but it was not cut up into fees' (i. 263). What the bishop said was that he owed no service for his demesne, because there were already over seventy fees created on his fief, though he only owed ten.

peculiar to the church fiefs.⁵⁷ In these cases it wholly replaces the *de veteri* and *de novo* assessment which, from 1166, was applied to the lay fiefs.

II. *The Servitium Debitum.*

The essential feature we have to keep in view when examining the growth of knight service is the *servitium debitum*, or quota of knight service due to the crown from each fief.

This has, I venture to think, been obscured and lost sight of in the generalisations and vague writing about the 'gradual process' of development. It is difficult for me to traverse the arguments of Gneist, Stubbs, and Freeman, because we consider the subject from such wholly different standpoints. For them the introduction of knight service means the process of subinfeudation on the several fiefs; for me it means the grant of fiefs to be held from the crown by knight service. Thus the process which absorbs the attention of the school whose views I am opposing is for me a matter of mere secondary importance. The whole question turns upon the point whether or not the tenants-in-chief received their fiefs to hold of the crown by a quota of military service, or not. If they did, it would depend simply on their individual inclinations, whether, or how far, they had recourse to subinfeudation. It was not a matter of principle at all; it was, as Dr. Stubbs himself puts it, 'a matter of convenience,'⁵⁸ a mere detail. What we have to consider is not the relation between the tenant-in-chief and his under-tenants, but that between the king and his tenants-in-chief; for this was the primary relation that determined all below it.

The assumption that the Conqueror cannot have introduced any new principle in the tenure of land lies at the root of the matter. Assuming this, one must of course seek elsewhere for the introduction of knight service. Have not the difficulties of the accepted view arisen from its exponents approaching the problem from the wrong point of view? The tendency to exalt the English and depreciate the Norman element in our constitutional development has led them, I think, and especially Mr. Freeman, to seek in Anglo-Saxon institutions an explanation of feudal phenomena. This tendency is manifest in their conclusions on the great council: it colours no less strongly their views on knight service. In neither case can they bring themselves to adopt the feudal standpoint or to enter into the feudal spirit. It is to this that

⁵⁷ This is one of the points on which Madox is completely at sea. He quotes the case of the bishop of Durham (1168) as an instance of 'Doubts about the number of knights' fees' (*Baronia Anglica*, p. 122); and he writes, of the above uniform formula: 'This uncertainty about the number of the fees frequently happened in the case of ecclesiastical Persons, Bishops, and Abbots' (*Exchequer*, i. 647).

⁵⁸ *C. H.* i. 264.

I attribute their disposition to bring the crown face to face with the under-tenant—or ‘landowner’ as they would prefer to term him—and so to ignore, or at least to minimise the importance of the tenant-in-chief, the ‘middleman’ of the feudal system. Making every allowance for the policy of the Conqueror in insisting on the direct allegiance of the under-tenant to the crown, and thereby checking the disintegrating influence of a perfect feudal system, the fact remains that what we may term the ‘military service’ bargain was a bargain between the crown and the tenant-in-chief, not between the crown and his under-tenants. It follows from this that so long as the ‘baron’ (or ‘tenant-in-chief’) discharged his *servitium debitum* to the crown, the king had no right to look beyond the ‘baron,’ who was himself and alone responsible for the discharge of this service. It is, indeed, in this responsibility that lies the key to the situation. If the under-tenant of a knight’s fee failed to discharge his service, it was not to him, but to his lord, that the crown betook itself, ‘I know nothing of your tenant,’ was in effect the king’s position; ‘you owe me, for the tenure of your fief, the service of so many knights, and that service must be performed, whether your under-tenants repudiate their obligations to yourself or not.’ In other words the ‘baron’ discharged his service to the king, whereas the baron’s under-tenants discharged theirs to their lord.⁵⁹ So the *Dialogus* speaks of the under-tenant’s ‘*numerus militum quos domino debuerat.*’

Let us then apply ourselves directly to the quotas of military service due from the ‘barons’ to the crown, and see if, when ascertained, they throw any fresh light on the real problem.

No attempt, so far as I know, has ever been made to determine these quotas, and indeed it was the utter want of trustworthy information on the subject that led Swereford to undertake his researches in the thirteenth century. Those researches, unfortunately, leave us no wiser, partly from his defective method and want of the requisite accuracy; partly from the fact that what he sought was not abstract historical truth, but practical information bearing on the existing rights of the crown. We must turn therefore to the original authorities: (1) the *cartae baronum*, (2) the annual rolls. These were the two main sources of Swereford’s information, as they must also be of ours. In the next part of this paper I shall deal with the evidence of the rolls, as checking and supplementing the *cartae baronum*.

I shall analyse the church fiefs first, because we can ascertain, virtually with exactitude, the *servitium debitum* of every prelate and

⁵⁹ See, for instance, the language used in the *carta* of Ralf de Worcester (p. 441): *Teneo de vobis in capite de veteri fefamento feodum i militis, unde debeo vobis facere servitium i militis. Et de eodem feodo Jordanus Hairun debet mihi facere iii^{am} partem servitii, &c.*

of every head of a religious house who held by knight-service. The importance of these figures, together with the fact that they have never, so far as I know, been set forth till now, has induced me to append them here in full detail.

SEE.	SERVICE DUE. knights	SEE.	SERVICE DUE. knights
Canterbury . . .	60	Bath . . .	20
Winchester . . .	60	London . . .	20
Lincoln . . .	60	Exeter . . .	17½ ⁶⁰
Worcester . . .	50 [60]	Chester . . .	15
Norwich . . .	40	Hereford . . .	15
Ely . . .	40	Durham . . .	10
Salisbury . . .	32	Chichester . . .	4 [2]
York . . .	20 [7]		

Every English see then in existence is thus accounted for with the solitary and significant exceptions of Carlisle and Rochester. The latter see, we know, had enfeoffed knights, for their names (*temp.* Hen. I, I think, from internal evidence) are recorded in the *Textus Roffensis* (p. 223);⁶¹ the former had been created after the date when, as I shall argue, the Conqueror fixed the knight-service due from the fees.

In the above list the figures in brackets refer to the assessments previous to 1166. Three changes were made at, or about, that date. The bishop of Worcester, in accordance with the protest he had made from the beginning of the reign, obtained a reduction of his quota from sixty knights to fifty; while the archbishop of York's

⁶⁰ Sometimes Exeter pays on 15½ (14, 33 Hen. II), but 17½ (2, 5, 7, 8, 18 Hen. II) is the normal amount. The explanation of this odd number is found in the *Testa de Nevill* (p. 226) where ('*Veredictum militum de Rape de Arundel*') we read:—*Episcopus Exoniensis tenet de Domino Rege de Capellaria de Boseham VII feoda militum et dimidium.*' The Bosham estate had formed part of the episcopal fief in Domesday, but (the bishops having founded a church there) we find it assessed and paying separately as 7½ fees. Add these to the bishop's 17½, and we obtain an original total of 25 for the entire fief.

⁶¹ I have found a case bearing upon this point and reported at great length. It arose from an attempt of the archbishop of Canterbury, in 1253, to distrain the bishop of Rochester for the *auxilium ad filium regis primogenitum militem faciendum*. Th bishop *posuit se super recordum rotulorum de Scaccario, per quos rotulos poterit et illa quam rex contra episcopum et etiam illa quam archiepiscopus contra episcopum movit questio diffiniri*. *Didicerat enim episcopus per unum fidelem amicum quem in scaccario tunc habebat quod nunquam tempore alicujus regis pro aliquo feodo episcopatus aliquod fuit regi factum servicium vel datum scutagium. . . . Unde consulebat quod audaciter poneret se episcopus super recordum rotulorum de Scaccario, nichil enim tenet episcopus per baroniam de rege, sed per puram elemosinam, quod non est dicendum de aliquo episcopatu Anglie, nec de Archiepiscopatu, nisi dumtaxat de Karleolen. Cumque cum audacia institisset episcopus, quod decideretur per rotulos de Scaccario quibus creditur in omnibus illis sicut sancto evangelio etc., etc.* The barons of the exchequer examined the rolls, *a tempore primi conquestus* (?) and reported:—*nusquam invenerun episcopum Roffensem solvisse aut dedisse aliquod servicium regibus temporale* But the dispute was not finally decided till 1259.

servitium was raised from seven knights to twenty, and that of the bishop of Chichester from two knights to four. These changes are known to us only from the details of the prelates' scutages; there is nothing to account for them in the relevant *cartae*, and we can only infer from the formula *quos recognoscit* that the two bishops whose *servitia* were increased acquiesced in the justice of the crown's claim.

Proceeding to the 'service' of the religious houses:—

HOUSE.	SERVICE DUE. knights	HOUSE.	SERVICE DUE. knights
Peterborough . . .	60	Wilton	5
Glastonbury . . .	40 [60]	Ramsey	4
St. Edmundsbury . .	40	Chertsey	3
Abingdon	30	St. Bene't of Hulme . .	3
Hyde	20	Cerne ⁶²	2 [3]
St. Augustine's . . .	15	Pershore	2 [3]
Westminster	15 (?)	Malmesbury	3
Tavistock	15 (?)	Winchcombe	2
Coventry	10	Middleton	2
Shaftesbury	7 [10]	Sherburne	2
St. Alban's	6	Michelney	1
Evesham	5	Abbotsbury	1

The changes of assessment on religious houses were few, and are thus accounted for. Glastonbury, which paid on sixty knights in the first two scutages of the reign, paid on forty in the third and in those which followed. Pershore paid on three in the first scutage, protesting that it was only liable to two, and from 1168 it was only rated at two. Shaftesbury, which had paid on ten knights in the first scutage, was assessed at only seven in the third scutage and those which followed. Cerne also succeeded in getting its assessment reduced from three knights to two. With these changes should be compared the letter of Bishop Nigel of Ely to Ramsey Abbey certifying that it was only liable to an assessment of four knights. Two cases remain which require special treatment—Tavistock and Westminster.

Although Tavistock, in the first scutage, appears to have paid on the anomalous assessment of ten and a half knights, its payment on fifteen in the two succeeding ones may fairly be taken as evidence that this was its *servitium debitum*.⁶³ Its abbot, however, made no reference to that *servitium* in his return, and—by an exception to the regular practice in the case of church fiefs—we find him charged, not on the fees, (1) '*quos recognoscit*,' (2) '*quos non*

⁶² Cerne had to provide 'ten' knights *ad wardam* at Corfe Castle, or 'two' *ad exercitum* (vide *cartam*).

⁶³ This indeed is proved by an extract quoted by Madox (*Exchequer*) from the Roll of 22 Hen. II (rot. 10a).

recognoscit,' but on those which were enfeoffed '*de veteri*,' and '*de novo*' just as if he were a lay tenant. As his fees *de veteri* were sixteen, this figure recurs in successive scutages, until in 3 John we find him contesting as to one knight (*unde est contentio*) who, doubtless, represented the difference between fifteen and sixteen.

The case of Westminster presents considerable difficulty, the entries relating to its payments of scutage being very puzzling. The abbey's fees lay chiefly in Worcestershire and Gloucestershire—especially Worcestershire—and it is under this county that we find it ultimately (*i.e.* from 1168 onwards) assessed at fifteen fees, an assessment which the abbot himself seems to have claimed, in the first scutage, as the right one.

Taking then the *servitium debitum* of all the church fiefs, at their earliest ascertainable assessment, we obtain this result:—

Bishops	458½
Heads of religious houses	318
Capellaria de Bosham	7½
Grand total	784 ⁶⁴

Far more difficult is the calculation of the *servitium debitum* from the lay fiefs. The list which follows is constructed from the evidence of the *cartae* and the rolls, and, though substantially correct, is liable to emendation in details. It only comprises those fiefs the *servitium* of which I have been able to ascertain with certainty or probability.

Robert 'filius Regis'	100 ⁶⁵
Earl Ferrers	80 (? 60) ⁶⁶
Honour of Totness	75
Honour of Tickhill	60 (?) ⁶⁷
Robert de Stafford	60
Count of Eu	60 (?) ⁶⁸
Earl Warrenne	60 (?) ⁶⁹
Lacy of Pontefract	60
Roger de Mowbray	60 ⁷⁰
Earl of Essex	60
Walter fitz Robert (of Essex)	50

⁶⁴ The effect of all the changes of assessment we have traced under Henry II would only be the reduction of this total to 774.

⁶⁵ Roll of 11 Hen. II.

⁶⁶ The custos of his fief paid scutage for eighty knights in 1159, but he speaks *de meis lx militibus* in his *carta*.

⁶⁷ The undoubted assessment in 1162. Afterwards it is found paying on sixty and a fraction.

⁶⁸ *lx milites . . . habere solebat pater meus (Carta)*.

⁶⁹ This figure is given in the *Liber Niger*, but is really derived from his recorded payments.

⁷⁰ *Tot habuit milites feodatos . . . scilicet lx de antiquo feodo (Carta)*.

Honour of Richmond	50 ⁷¹
Gervase Paynell	50
Reginald de St. Valery	50 (?) ⁷²
Patrick, earl of Salisbury	40
Walter de Aincourt	40
William de Montfichet	40
Payn de Montdubleau	40 ⁷³
William de Roumare	40 (?) ⁷⁴
Hubert de Rye	35
Hubert fitz Ralf (Derbyshire)	30
Walter de Wahulle	30
William fitz Robert (Devon)	30
William de Traci	30 ⁷⁵
Robert de Valoines	30 ⁷⁵
Maurice de Craon	30 ⁷⁵
William de Albini (of Belvoir)	30 ⁷⁵
Bernard Balliol	30 ⁷⁶
Roger de Arundel	30 ⁷⁷
Walter de Maine	30 (?) ⁷⁸
Robert de Albini (Bucks)	25
Robert fitz Hugh	25

⁷¹ In Yorkshire alone. In all England, 740.

⁷² This figure is taken from the payments in 1161 and 1172.

⁷³ Roll of 11 Hen. II.

⁷⁴ *Ibid.* It is impossible, within the compass of a note, to discuss the two consecutive and most important entries on the Roll (pp. 37–8), which represent a payment by the earl of Chester on 20 fees, *pro feodo Tuoldi vicecomitis*, and by Richard de Camville on 40 fees, *pro feodo Willelmi de Romara*. I called attention to the former entry in the *Academy* (21 April, 1888), but did not at that time explain it. Mr. R. E. G. Kirk undertook to explain 'its real meaning' (*Genealogist*, v. 141), which, however, he completely mistook (*ib.* July 1891). The two entries, I think, should be read together as relating to the estates of the famous Lucy, the common ancestress of the earl and of William. If so, they may refer to a fief with an original *servitium* of 60 knights, of which one-third was in the hands of the earl of Chester, and two-thirds in that of his cousin. Independently of the light they throw on the obscure history of this divided and contested fief, they are of value for the unique reference (in this Roll) to *noviter feffati* (*vide infra*). The total (including these) for the two fiefs is $66\frac{31}{80}$. There is no return for the earl's Lindsey fief in 1166, but William de Roumare's return acknowledges 57 fees. If to these we add the $9\frac{1}{2}$ fees which, it says, had formerly existed in addition, we obtain $66\frac{1}{2}$. This suggests that the one fief of 1166 represents the two of 1165. It should be added that the Hampshire fief of William de Roumare is paid for as 20 fees in 1159 and 1162, and was similarly accounted for by Richard de Camville in both these years.

⁷⁵ Roll of 11 Hen. II.

⁷⁶ He omitted to send in a *carta* in 1166; but, both before and after, he paid on 30 fees.

⁷⁷ He twice pays on 30 fees before 1166, in which year his fief was held by Gerbert de Percy. Subsequently, as the honour of Poerstoke, it always pays on 30.

⁷⁸ This is a very difficult case. Walter's *carta* might easily be read as implying a *servitium debitum* of 29 fees, and his fief paid on 29 *de veteri* and $1\frac{1}{2}$ *de novo*. But careful scrutiny reveals that the words *hos iiiij^{or} milites qui has predictas terras tenent*, are preceded by *six* names. If they refer, either to the four names immediately preceding, or (which is more probable) to the four knights who held his lands but rendered him no 'service,' the total of his *servitium debitum* would, in either case, be 30.

Alfred of Lincoln	25
Ralf Hanselin	25
William de Braose	25 ⁷⁹
Oliver de Traci	25 ⁷⁹
Gerard de Limosie	25 (?) ⁸⁰
Walter Waleran	20
Richard de Hay	20
Honour of Holderness	20
William de Windsor	20
Hugh de Bayeux	20
William de Vesci	20 (?) ⁸¹
Daniel Crevequer	20 (?) ⁸²
Thomas de Arcy	20 (?) ⁸³
Hugh de Dover	15
Walter Bret	15
Baderon de Munemue	15
Earl Richard de Redvers	15 ⁸⁴
Adam de Brus	15
Hamo fitz Meinfelin	15
Osbert fitz Hugh	15 (?) ⁸⁵
? Hugh de Scalers	15 ⁸⁶
? Stephen de Scalers	15
Gilbert de Pinkeyni	15
Geoffrey Ridel	15
Robert Foliot	15
Robert de Chokes	15
Robert de Cauz	15
William Paynell	15 (?)
Richard de Reimes	10
Roger de Buron]	10
Richard fitz William	10
William fitz Alan	10
Richard de Cormeilles	10
Roger de Kentswell	10
William Trussebut	10
Nigel de Lovetot	10
Manasser Arsic	10
Richard de Montacute	10
Wandrille de Courcelles	10

⁷⁹ Roll of 11 Hen. II.⁸⁰ He paid on 25 fees in 1162.⁸¹ *Feodum xx militum de rege de veteri feffamento quod pater suus tenuit* (Carta .⁸² He paid on 20 fees in 1161, but the subsequent assessment of the fief varies considerably.⁸³ He paid on 20 fees in 1162 and 1165, and returned his fees in 1166 as 20 *de veteri* and $\frac{3}{4}$ *de novo*.⁸⁴ The scutages record him as paying always on 15 knights, *quos recognoscit*—the formula for *servitium debitum*.⁸⁵ His payment on 15 fees in 1161 probably represents his *servitium debitum*. His total enfeoffments were 23.⁸⁶ Hugh and Stephen de Scalers are the names given in the *cartae*, but Henry and William de Scalers held the fiefs at the time.

Walter de Bolebec (Bucks)	10
Robert de Hastings	10
Lambert de Scotenni	10
Drogo de Montacute	10 (?) ⁸⁷
William de Reimes	10 (?) ⁸⁸
William de Helion	10 (?) ⁸⁹

Graeland de Thani of Essex owed seven and a half knights (the half of fifteen), and Roger de Berkeley probably the same. Those who owed a *servitium* of five knights were Robert fitz Harding, Baldwin Buelot, Simon de Caney, Nigel de Lovetot (of the honour of Tickhill), Amfry de Caney, Hugh de Dover (of the honour of Brunne), Walter de Bolebec (Northumberland), Robert de Brus, Roger Bertram, and probably Stephen de Bulmer,⁹⁰ and Herbert 'de Castello.'

The cases in which the *servitium* can be shown not to have been a multiple of five are comparatively few. That of Simon de Beauchamp of Bedford was 54, of William Fossard 33½, of Humphrey de Bohun 30½, of William Malet 20½, of Robert de Beauchamp (of Somerset) 17, of William fitz John (of Harptree) 13¾, of William Blund 12, of Hugh Wac 10½, of William de Ros, William fitz John (of Weston) and William de Beauchamp (of Worcestershire) 7, of John de Bidun and Jocelin de Lovaine 5½.⁹¹ But these, it will be seen, are quite insufficient to overthrow the accumulated array of evidence on the other side, and some of them are, doubtless, capable of explanation. The Bohun fief, for instance, in 1162 paid on exactly 30 fees.

It is impossible to resist the inference, from such evidence as we have, that the amount of the *servitium debitum* was a matter of custom and tradition, and could not usually be determined by reference to written grants or charters. On this point the returns of three Essex tenants are most instructive, while their similarity is so striking, that, as in the case of the Shropshire *formulae*, it can scarcely be due to accident. The earl of Essex closes with the words: *et homines mei dicunt mihi quod debeo Domino Regi lx milites*. Walter fitz Robert, who follows him, writes: *et hoc mihi homines mei intelligere faciunt, quod debeo inde Regi servitium de l militibus*. William de Montfichet ends thus: *et hoc faciunt homines mei mihi intelligere—quod pater meus deserviebat per xl milites*. With these expressions we may compare those of William fitz

⁸⁷ He paid 10 marcs in 1168, though his *carta* only records 9½ fees.

⁸⁸ A difficult fief to deal with, but almost certainly the half of an original Reimes fief owing 20 knights (*vide supra*).

⁸⁹ Apparently 15 at first, and 10 later.

⁹⁰ He only pays on 5 fees in 1162, and the excess *de novo* in his *carta* is accounted for, he says, by the necessities of his position.

⁹¹ This is not proved for the latter fief.

Alan's tenants, who assert that his Norfolk fief *non debet domino Regi nisi i militem . . . ut antiqui testantur*; that his Shropshire fief *non debet Regi nisi x milites in exercitu . . . sicut antiqui testantur*; and that, as to his Wiltshire fief, *non sumus certi quod servitium debeat Regi de hoc tenemento*. The abbot of Chertsey, also, states his *servitium debitum* with the proviso *secundum quod scire possumus*. These expressions explain the uncertainty as to the *servitium debitum* in such cases as the see of Worcester and Ramsey abbey.⁹²

The same principle applies to the relation between the tenant-in-chief and his under-tenant. Thus the very first entry in the *cartae* runs as follows:—

Willelmus de Wokindone iiij milites et dimidium; et praeter hoc, *ex testimonio curiae meae*, dimidium exigo, quem ipse se non debere defendit.

Of another tenant on the same fief we read: *praeter hoc*, *ex testimonio curiae meae*, *adhuc j militem exigo*. Here, we see, appeal is made not to record evidence, but to oral testimony. So, too, the bishop of Exeter adds this clause to his return:—

Et praeter hos omnes, sicut *a multis audiui*, comes Gloucestriae, et comes Hugo, et comes de Clare debent tenere de Exoniensi Episcopo; sed nullum ei servitium faciunt vel recognoscunt.

Surely in all such cases as these the obvious inference is that the tenant had been enfeoffed *sine carta*, or in the very words of the Provisions of the Barons (1259) *feofatus sine carta a tempore conquestus vel alio antiquo feofamento* (§ 1).

And now for my theory. No one can have even glanced at the lists I have compiled without being instantly struck by the fact that the 'service' is reckoned in round numbers, and is almost invariably a multiple of 5, if not of 10.⁹³ This discovery, of course, is absolutely destructive of the view that it always represented the number of

⁹² Compare with these allusions to a traditional *servitium debitum* the significant words of Wace (*Roman de Rou*):—

*Ne ke jamez d'ore en avant,
Co lor a miz en convenant,
N'ierent de servise requis,
Forz tel ke solt estre al paiz,
E tel come lor ancessor
Soleient fere a lor Seignor.*

Which are the reply to the fears of the barons:—

*Li servise ki est doblez
Creiment k'il seit en feu tornez,
Et en costume seit tenu
Et par costume seit rendu (lines 11272 et seq.).*

⁹³ It can be shown that the 'service' in Normandy was based on precisely the same five-knight unit.

five-hide (or 20*l.*) units contained in the fief. Further, the number of differing fiefs assessed at precisely the same figure proves that the assessment was wholly arbitrary and cannot have been even the round sum which approximated most nearly the number of such units.⁹⁴ What then was the true determinant, in the light of these conclusions? I reply—the *unit of the feudal host*.

‘On the continent,’ writes Gneist, ‘fifty *milites*, or at least twenty-five, were reckoned to one banneret; in England, in proportion to the smaller scale of enfeoffments, a smaller number appears to have formed the unit of the *constabularia*.’⁹⁵ He is right: the English *constabularia*, where I find it referred to, consists of *ten* knights. It is interesting to trace this unit and its multiples recurring in the narratives of Irish warfare, under Henry II, and in other struggles.⁹⁶

The next step is to show that the Normans were familiar with *servitium debitum* in terms of the ten-knight unit when they landed in England. For this we have only to refer to what Mr. Freeman terms the ‘valuable’ evidence of Wace. For in the ‘*Roman de Rou*,’ as quoted by himself, we find William fitz Osborn assuring the duke as to his barons:—

Vostre servise dobleront :
Ki solt mener vint chevaliers
Quarante en merra volontiers,
E ki de trente servir deit
De sesante servir vos velt,
E cil ki solt servir de cent
Dous cent en merra bonement.⁹⁷

The *servitium debitum*, therefore, was a standing institution in Normandy, and ‘to the mass of his [William’s] followers,’ as Mr. Freeman frankly admits,⁹⁸ a ‘feudal tenure, a military tenure, must have seemed the natural and universal way of holding land.’ When we find them and their descendants holding their fiefs in England, as they had been held in Normandy, by the service of a round number of knights, what is the simple and obvious inference but that, just as Henry II granted out the provinces of Ireland to be held as fiefs by the familiar service of a round number of knights,⁹⁹ so Duke William granted out the fiefs he formed in England?

⁹⁴ ‘The estates of the twenty greatest feodaries in Domesday Book contain, according to the ordinary computation, 793, 439, 442, 298, 280, 222, 171, 164, 132, 130, 123, 119, 118, 107, 81, 47, 46, and 33 knights’ fees.’ Gneist (*C. H.* i. 334).

⁹⁵ *Const. Hist.* i. 289.

⁹⁶ Robert fitz Stephen lands with 30 knights, Maurice de Prendergast with 10, Maurice fitz Gerald with 10, Strongbow with 200, Raymond the Fat with 10, Henry himself with either 400 or 500, &c.

⁹⁷ Lines 11253 *et seq.*

⁹⁸ *N. C.* v. 368.

⁹⁹ Meath with a *servitium debitum* of 100, Limerick of 60, Cork with two *servitia* of 30 each.

If to escape from this conclusion the suggestion be made that these *servitia debita* were compositions effected by English *antecessores*, it need only be answered that the fiefs acquired were wholly new creations, constructed from the scattered fragments of Anglo-Saxon estates. And though in the case of the church fiefs this objection might not apply, yet we have evidence, as I shall show, to prove that their *servitia* also were determined by the conqueror's will, as indeed might be inferred from their close correspondence with those of the lay barons.

But if the lands of the conquered realm were so granted to be held by a *servitium debitum* of knights, the key of the position is won, and the defenders of the existing view must retire along the whole line; for, as Mr. Freeman himself observes, 'Let it be once established that land is held as a fief from the crown on condition of yielding certain services to the crown, and the whole of the feudal incidents follow naturally.'¹⁰⁰

I am anxious to make absolutely clear the point that between the accepted view and the view which I advance, no compromise is possible. The two are radically opposed. As against the theory that the military obligation of the Anglo-Norman tenant-in-chief was determined by the assessment of his holding, whether in hidage or in value, I maintain that the extent of that obligation was not determined by his holding, but was fixed in relation to, and expressed in terms of, the *constabularia* of ten knights, the unit of the feudal host. And I, consequently, hold that his military service was in no way derived or developed from that of the Anglo-Saxons, but was arbitrarily fixed by the king, from whom he received his fief, irrespectively both of its size and of all pre-existent arrangements. Such propositions, of course, utterly and directly traverse the view which these passages best summarise:—

The belief that William I divided the English landed property into military fees is erroneous. . . . According to the extent and the nature of the productive property it could be computed how many shields were to be furnished by each estate, according to the gradually fixed proportion of a 20*l.* ground-rent.¹⁰¹

There is no ground for thinking that William directly or systematically introduced any new kind of tenure into the holding of English lands. There is nothing to suggest any such belief, either in the chronicles of his reign, in the Survey, which is his greatest monument, in the genuine or even in the spurious remains of his legislation. . . . As I have had to point out over and over again, the grantee of William, whether the old owner or a new one, held his land as it had been held in the days of King Eadward.¹⁰²

There can be no doubt that the military tenure . . . was itself intro-

¹⁰⁰ *N. C.* v. 378.

¹⁰¹ Gneist, *C. H.* i. 129, 156.

¹⁰² Freeman, *N. C.* v. 372, 371.

duced by the same gradual process which we have assumed in the case of the feudal usages in general. We have no light on the point from any original grant made by the Conqueror to a lay follower; but . . . we cannot suppose it probable that such gifts were made on any expressed condition, or accepted with a distinct pledge to provide a certain contingent of knights for the king's service.¹⁰³

If my own conclusions be accepted, they will not only prove destructive of this view, but will restore, in its simplicity, a theory which removes all difficulties, and which paves the way to a reconsideration of other kindred problems, and to the study of that aspect of Anglo-Norman institutions in which they represent the feudal spirit developed on feudal lines.

J. H. ROUND.

¹⁰³ Stubbs, *C. H.* i. 261.

(To be continued)

Did Henry VII Murder the Princes?

THE reviewing of 'doubtful verdicts' in history is certainly not a process to be discouraged when there is any occasion to do so from the discovery of new evidences, or when it can reasonably be done at all without large and sweeping assumptions which would involve a gratuitous unsettlement of many things apparently well established and a complete rewriting of several whole chapters of our annals. Mr. Clements Markham has appealed to the readers of the *ENGLISH HISTORICAL REVIEW* for a more favourable judgment of Richard III than that which has so long maintained its hold upon the public. And there are two reasons, I feel, why I, at least, should naturally sympathise with such an attempt: first, that I made such an attempt myself many long years ago, though happily it never saw the light; and second, that Mr. Markham's reasoning seems to be partly based on the more mature judgment which I have actually given to the world. On the other hand, this latter consideration itself makes me rather uncomfortable lest the reader should take just a little part of a somewhat doubtful estimate as serious evidence against well-established facts. I have no doubt at all that Richard's character was a very black one; but as I generally like to think the best I can even of a villain (especially when he can do me no harm), I have thought it possible that there were some flitting lights to be detected here and there in his acts and even in his motives. The reader, however, will do well to bear in mind that acts are much more easily ascertained than motives, and that I by no means desire my own judgment of the latter to be accepted as infallible.

To proceed, however, at once to the point. The whole case for a reconsideration of the judgment of history here arises, not from any material production of new evidences, but merely from the scantiness of all the evidences we can get. The latter part of the fifteenth century is a time in which sources of information are singularly deficient, and the void thus left affords abundant scope for the exercise of the historical imagination. If, besides taking full advantage of this, we only resolve to disbelieve all Lancastrian

authorities when it is inconvenient for our theories to believe them, we may certainly build magnificent castles in the air, discrediting facts which are recorded and constructing from the depths of our inner consciousness some others which are not recorded at all. This, I say, is what it is perfectly easy to do with the help of a little imagination and some literary skill. Whether Mr. Markham has done so or not, I shall leave the reader to judge when he has weighed my criticisms.

Mr. Markham begins his investigation by discussing the authorities for the facts of Richard's career. By far the most important of these, he says, is Archbishop (Cardinal) Morton, whom he wishes us to regard as the real author of More's '*History of Richard III.*,' and he goes on to show us that Morton was an unscrupulous partisan, and 'one of the most odious instruments of Henry's extortions.' This is a rather sweeping defamation of one who on the whole has left a very good name behind him, and of whom Sir Thomas More in his '*Utopia*' speaks in terms of high respect. The character is simply unjust; for, whatever may be said of Henry VII's demand for 'benevolences,' the argument attributed to Morton for stimulating liberality towards the crown is not for a moment to be compared with the pettifogging legal devices afterwards resorted to by Empson and Dudley to enrich Henry's treasury. But why is this treatise to be attributed so decidedly to Morton and not to More? The information, no doubt, came from Morton in the main, and More must have had it from the Cardinal himself when he was a young lad in his household. But the reasons against More's authorship are not at all satisfactory. That the author was present beside the deathbed of Edward IV is a very questionable statement founded on a passage which seems to be an interpolation in the narrative when it was first published in the continuation of Hardyng's '*Chronicle*.' In fact, the passage is almost proved to be by another hand, seeing that it does not appear in the genuine text printed by Rastell from a MS. in More's own handwriting. Mr. Markham, however, says that 'More was then a baby in arms, if indeed he was born.' It is indeed true, according to the date at one time universally assigned to his birth, that More was three years old at the death of Edward IV; but it is now distinctly ascertained that he was born in Feb. 1478 and that he was therefore over five years old at the date in question. To hint that he was then unborn, and then complacently add 'This settles the question of More's authorship,' is not exactly the way to handle such a subject.

Of course I do not mean to insinuate that a child of five years old, having no connexion with the Court, was at all likely to have been present at the deathbed of Edward IV; for the passage, as I

have said, is not a genuine part of the original treatise. But More's true age at the time does happen to be important with reference to another point in the narrative. For the history in question was written both in Latin and in English, and, if the one version was a translation of the other, it is hard to say which is the original, for they have very much the appearance of proceeding from the same pen. Yet perhaps something might be said in favour of the theory that the Latin was by Morton and that More translated it into English, but that the Latin, as we have it at all events, bears quite as distinct evidence as the other of having been written in Henry VIII's time, long after Morton's death. Yet among the very few points contained in the Latin history which are not in the English is a remarkable statement that the author remembered a conversation in which a servant of the duke of Gloucester, just after King Edward's death, told his father that the duke would assuredly be king. That a child only three years of age could have remembered such a conversation is of course incredible; but a boy of five who observed the deep impression it made upon his father might have remembered it quite well.

But, whoever may have been the author, Mr. Markham will not have us treat this 'History of Richard III' with the smallest degree of respect. 'If it was written by More,' he says, 'so much the worse for More's character for truth and decency.' That again, surely, is rather sweeping. Whom shall we trust for an honest man if not a man who laid down his life for his sincere convictions? If it is a question between More's character and that of Richard III, would Mr. Markham prefer to place his confidence in the latter? I hardly think that this can be his meaning; but his words seem scarcely to admit of any other.

Certainly, if any one is prepared to go such a length as this, he need have very little difficulty in accepting Mr. Markham's other postulates. He will concede at once, what is necessary for the argument, that Henry VII after his accession destroyed evidences in favour of his predecessor, employed authors to write the history of the times in a way that suited himself, and succeeded in stamping out the truth so effectually that no one has, up to this time, been able to recover it.

The culminating crime of Richard III was of course the murder of his nephews; but Mr. Markham thinks the fact exceedingly doubtful, and tells us that 'the evidence on which Tudor writers mainly rely' to establish it 'is the perpetration of numerous former crimes.' I confess that this is to me altogether a new view of the matter; for, so far as I can see, the fact is exactly the other way. The Tudor writers in question, far from endeavouring to prove the later crime by the earlier ones, only insinuate suspicions about

the earlier ones, but assert the later as a positive fact, or at all events declare that it was a matter of 'common fame,' leaving us to infer that it was not, and could not be, contradicted. And, in point of fact, the view that we take of Richard's whole career must be governed by the view that we take of his guilt or innocence of the murder of his nephews; for the evidence, as regards any one of the former deeds, is very far from conclusive. I must, however, before proceeding further, say a word or two on this part of the subject, because I really cannot accept Mr. Markham's view that these crimes were in themselves improbable.

The first case is that of the murder of Edward prince of Wales, the son of Henry VI. Richard was then only in his nineteenth year, and if he was guilty he was of course a very precocious criminal. But why may he not have been so? To talk of his tarnishing the military renown which he had already acquired—for he was precocious as a military commander as well—is absurd when we consider the conduct of his brother Edward, who at that very time, just after the battle of Tewkesbury, beheaded no less than fifteen of his enemies who had taken refuge in the Abbey church and might have saved themselves by flight if he had not sworn there in church upon the sacrament to pardon them. Mr. Markham, indeed, regards it as a sign of 'Lancastrian sympathies' even in the Continuator of the Chronicle of Croyland that 'he refers to the executions after Tewkesbury as vindictive.' I should very much like to know what other character they can possibly bear—except that they were perfidious also.

But the sympathies of the Continuator of Croyland were not Lancastrian; they were Yorkist. For he was a member of King Edward's council,¹ who was sent very shortly after this event to the duke of Burgundy to conclude a treaty against France. And this is why he attempts to shield King Edward as much as possible in reference to these very executions, which in fact he does not call executions at all but slaughters 'by vindictive hands' (he does not say whose) either in the battle or after it. Nay more, it is, to say the least, a very suspicious circumstance that he should group together in the way he does the slaughter of Prince Edward, who certainly was killed either in the field or just after it, with those of Somerset and the earl of Devon, who were beheaded two days later, in violation, as I have just said, of a solemn promise of pardon. In fact, it is hardly possible to read the passage as it stands in the Croyland historian's narrative without suspecting that the writer is distinctly endeavouring by vague language to cloak a good deal of foul play.²

¹ See *Hist. Croyl. Contin.* p. 557.

² *Interfectis de parte Regine, tum in campo, tum postea, ulticibus quorundam*

When Mr. Markham tells us, with reference to this supposed butchery of Prince Edward, that 'contemporary evidence is unanimous in contradicting the accusation' (he means, of course, is incompatible with it, for an accusation must be made before it is contradicted), does it not occur to him that what he tells us of the party bias of later writers may be equally true of the earlier ones? 'There was only one eye-witness,' he says, 'who wrote an account of the battle. He said that young Edward of Lancaster "was taken fleeing to the townwards, and slain in the field."' Perfectly true. But that one eye-witness who wrote an account of the battle was a servant and follower of Edward IV, and the narrative he composed was an official narrative, a French abridgment of which was sent over to the Low Countries to inform Edward's Burgundian allies of the success of his expedition for the recovery of his kingdom.³ Was it likely that such a narrative would say anything of a murder committed in Edward's interest?

Again, let us look at the only other contemporary evidence that is at all material to the point—namely that of Dr. Warkworth, master of St. Peter's College, Cambridge. His words are:

And there was slain in the field Prince Edward, which cried for succour to his brother-in-law, the duke of Clarence.

If this statement be taken in connexion with that just cited of the only eye-witness who has left a written account of the fact, viz., that the prince 'was taken fleeing to the townwards and slain in the field,' surely it rather confirms than contradicts the view that he was murdered by some one or other, and there is certainly no reason for supposing that it was not by Gloucester. The battle was already lost to the Lancastrians; the prince was flying towards the town; but some one or other was resolved to give him no quarter, when he called to Clarence for succour. No meaner person than Gloucester would have taken the responsibility of slaying so valuable a prisoner.

The next case is the murder of King Henry VI. Mr. Markham says this is a grossly improbable story, manufactured by the paid writers of Henry VII, and that, to render it probable, Fabyan and Warkworth's informant misdated Henry's death on 21 May. That Warkworth's Chronicle was written in the days of Henry VII seems

manibus, ipso principe Edwardo, unigenito Regis Henrici, victo Duce Somersetiæ, Comiteque Devonix, ac aliis dominis omnibus et singulis memoratis. Hist. Croyl. Contin. 555. This will allow us, if we please, to believe that Prince Edward, and indeed all the others, were slain in hot blood either in the battle itself or in the pursuit. In fact, the writer meant to suggest a falsehood without actually stating one.

³ See Mr. Bruce's preface to the *Historie of Arrivall*, pp. vi., vii.

a little doubtful, for it appears that the manuscript volume containing it was presented to the library of St. Peter's College in 1483,⁴ two years before Henry's accession; so all the bias ought to have been in favour of Edward IV or Richard III. Bias, however, is an immaterial consideration if we have positive proof of inaccuracy, as Mr. Markham tells us we have here; for he maintains that Henry VI did not really die till 24 May, and on that date he can prove an *alibi* for his client. The evidence given for this is a document of which the drift is quite correctly expressed by Mr. Markham himself, and I need only give it again in his words, omitting the inference he draws from it:—'The expenses and diet of Henry and his ten servants were paid for fourteen days from 11 May, that is until 24 May.' How this implies that Henry lived till 24 May I do not clearly see. I should say it implied only that those who had charge of him were not dismissed and had not their expenses paid till that day.

But 'the only contemporary writer, in a letter to the citizens of Bruges, confirmed this date.' Mr. Markham means once more the official writer in the service of Edward IV who reported to the citizens of Bruges the whole story of Edward's recovery of his throne. Even here the numeral is a little doubtful, for the English version of the narrative says 'the xxiii day of the monithe of May.'⁵ But whichever date he intended his readers to accept, his statements must be received with caution; otherwise we may as well appeal to him also in proof of his very suspicious assertion that Henry's death was occasioned by 'pure displeasure and melancholy' on hearing of the death of his son, the capture of his wife, and the complete overthrow of his party. This was clearly the official view which it suited Edward IV to promulgate.

But is this writer 'the only contemporary writer,' and are these the only trustworthy evidences of the exact date of Henry's death? We must remember that, quite apart from the *manner* of his death (and it is worth noting by the way that the dagger which was supposed to have killed him was preserved among the relics of Reading Abbey and was found there at the dissolution of the monasteries less than seventy years after),⁶ the exact day of it was of some importance to the different religious foundations which had bequests left them to keep his obit and sing masses for his soul.

⁴ See Introduction, p. xxvi, *note*.

⁵ The 24th is probably due to a misreading by the translator in the *Archæologia* of the narrative sent to Bruges. The original French was afterwards published by Dr. Giles for the Caxton Society, and if correctly printed there reads 23rd just as the English narrative does. Every reader of old manuscripts knows that the numerals as then written, xxiii and xxiiii, are very liable to be confounded. See *La Révolte du Comte de Warwick*, p. 42.

⁶ Wright's Letters relating to the Suppression of the Monasteries, p. 226.

This duty they must certainly have performed in the days of Edward IV, long before Tudor writers had the power to pervert facts in the way Mr. Markham supposes that they did to blacken Richard's character. Now, it must be admitted that, even setting apart the official writer's evidence, there is a little discrepancy among other early authorities as to the exact day, but the only doubt seems to have been whether it was the 21st or 22nd May; not one of the others dates it the 23rd or 24th. And the fact is that the event occurred so near midnight on the 21st that the exact day might have been easily questioned. This, however, would have made no practical difference as to the obit, which would have been celebrated on the 22nd even if he had died at sunset on the 21st.

And now for the other testimonies. Here is that of Warkworth, which is the most explicit, and, as I think I have shown, sufficiently near the time :—

And the same night that King Edward came to London, King Harry, being in ward in prison in the Tower of London, was put to death, the 21st day of May on a Tuesday night betwixt 11 and 12 of the clock, being then at the Tower the duke of Gloucester, brother to King Edward, and many other; and on the morrow he was chested and brought to Paul's, and his face was open that every man might see him.

This, it will be observed, is very precise not only as to the exact day and hour of Henry's death, and as to the fact that it was a murder, and that the duke of Gloucester was at the Tower at the time, but also as to the fact that his body was publicly exhibited the next day (the 22nd) at St. Paul's. Next let us take the valuable City chronicle (the printing of which I in vain urged a long time ago on the Master of the Rolls) in the Cottonian MS. Vitellius A. xvi (f. 133) :—

Also upon Ascension Even [the 22nd May], King Henry was brought from the Tower through Cheap unto Paul's upon a bier, and about the bier more glaives and staves than torches; who was slain, as it was said, [by the duke of Gloucester; but how *[qu. however? i.e. in whatever way]* he was dead, thither he was brought dead. And in the church the corpse stood all night. And on the morn he was conveyed to Chertsey, where he was buried.

Here, it will be seen, the day of the death is not given, but as no one puts it earlier than the 21st this is immaterial; what is important is that this chronicle is in precise agreement with Warkworth as to the exhibition of the dead body at St. Paul's on the 22nd.

Again, in MS. Arundel 28 in the British Museum is an old chronicle relating to the events of A.D. 1361–8; on a fly-leaf at the end of which, in a contemporary hand, are some jottings relating to Edward IV's time, and among these, after mention of the

triumphant return of Edward to London on 21 May 1471, we find the following note :—

Eodem die decessit Henricus Sextus, olim dictus Rex Angliæ, apud Turrim London', et sepultus est in monasterio de Chertesey juxta Tamisiam, Winton' dioces'. Et sic nemo relinquitur in humanis qui ex illo stirpiter coronam petat.

The use of the present tense in the last sentence is conclusive as to the event having been quite recent at the time the entry was made; and it proves Henry's death to have taken place on the 21st.

It is a pity that Mr. Markham has passed these evidences by unnoticed; for although the two latter are derived from MSS. they are quoted in the late Mr. Halliwell Phillipps's Introduction to Warkworth's chronicle, with other early testimonies both as to the date and manner of Henry's death. Among these is a MS. in the Heralds' College, since printed by me, and evidently contemporary, which dates the death 'in Vigilia Ascensionis Dominicæ,' i.e. 22nd May, a MS. at Oxford (Laud 674) which gives the same date, and a MS. in the Royal Library (2 B. xv.) in the British Museum, which is of more authority, and, like Warkworth, is a little more specific.

This last is an exceedingly beautiful illuminated volume, containing Hours of the Virgin. At the beginning is an obituary of the family of the Butlers earls of Wiltshire and of Ormond, containing also the names of Henry VI and his son Prince Edward. The entry relating to the former is as follows :—

Obitus Regis Henrici Sexti, qui obiit inter vicesimum primum diem Maii et xxi^m diem Maii.

Immediately after this obituary comes a calendar or almanac giving a table of each month and its celebrations on consecutive pages, in which Henry's obit is set down accordingly under the 22nd May (12th kalends of June): *Obitus Regis Henrici Sexti*. Thus we see how, the death occurring near midnight *between* the 21st and 22nd, it was frequently referred to the latter day, on which the obit was kept.

The day of Henry VI's death is, in fact, beyond dispute; and surely the fact that it was a murder is almost equally so. The well-informed Continuator of the Croyland chronicle at this period was, as we have seen, a member of King Edward's council, and tried hard to put the best face he could upon matters for Edward's sake; but even he cannot disguise the fact that it was a murder committed in Edward's interest. For this is the way in which he speaks of it :—

I pass over in silence how at this period the body of King Henry was found lifeless in the Tower of London. May God spare and grant time

for repentance to *him* whoever thus dared to lay sacrilegious hands on the Lord's Anointed; whereof the doer has earned the title of a tyrant, and the sufferer that of a glorious martyr.⁷

The Continuator of Croyland, it will be seen, is careful not to tell the name of the doer. The word 'tyrant' apparently reflects on Edward himself, who, no doubt, authorised the deed, and for whose immediate benefit it was done. But it can hardly be disputed that the testimonies already cited are exceedingly significant as to his brother Richard having been the agent; and under any circumstances the *alibi* cannot be established.

Passing on from this point, Mr. Markham dismisses more briefly some other imputations against Gloucester, where, it may be admitted, he is on safer ground; but he says nothing of his supposed complicity in the death of his own brother Clarence. This is curious, because here he might have made a very plausible case for a complete acquittal; and I have myself taken some pains to show⁸ that the view taken by Shakespeare is not fully warranted even by his authority, Sir Thomas More. For More, whom Mr. Markham considers to be Morton and an unscrupulous libeller of Richard III, is careful to mention this only as a doubtful surmise, and admits that, openly at least, he opposed Edward's determination to put his brother to death, though he says that 'some wise men' believed that he secretly helped to bring it about. The theory of the 'wise men' was that Richard was even at this time aiming at the crown and that he saw the prize almost within his grasp, if he once got Clarence out of the way, as Edward would very likely die early, leaving his children young. 'But of all this point,' adds More, 'there is no certainty, and whoso divineth upon conjectures may as well shoot too far as too short.'

Surely these words are not exactly those of an unscrupulous libeller. Otherwise, he must have been a very jesuitical libeller, pretending to be fair when he was really trying to cast imputations which he could not justify. So far as mere matter of fact goes, it will be seen that he does Richard, in this case, the fullest possible justice. He admits that there is no evidence of his guilt and that appearances were against it; but was the surmise itself altogether unjustifiable? We know from another and apparently trustworthy source that Edward was very unhappy about the matter afterwards, and would say when asked to pardon other malefactors, 'O unfor-

⁷ *Taceo hoc temporum interstitio inventum esse corpus Regis Henrici in Turri Londoniarum exanime. Parcat Deus, et spatium pœnitentiæ ei donet, quicumque tam sacrilegas manus in Christum Domini ausus est immittere; unde et agens, tyranni, patiensque, gloriosi martyris titulum mereatur. Cont. Croyl. in Fulman's Scriptores 556.*

⁸ *History of Richard III, 41-44.*

fortunate brother, for whose life not one creature would make intercession !' Gloucester, then, though he had opposed the attainder of Clarence in Parliament, or at least opposed the institution of such proceedings, made no intercession to save his brother. He received immediately afterwards a share of his estates ; and it was partly out of them that he at once obtained two separate licenses to enable him to found two magnificent religious establishments, at Barnard Castle and at Middleham in Yorkshire, with provision for perpetual masses for the souls of his father and his deceased brothers and sisters. Now, may it not reasonably be suspected that there was something of an expiatory character about these foundations, the licenses for which were granted just three days after the death of Clarence ?⁹

Next we come to the story of Richard's usurpation of the crown, which, especially if we include the preparatory steps, is too intricate to discuss here in detail. Mr. Markham tells it briefly in his own way, and I have told it in mine after a minute examination of all the evidences. I may say, indeed, that I ought not to have been called upon to traverse again so much ground as I already have done in the preceding pages ; for I cannot but think that I had answered beforehand in my book almost all the arguments used by Mr. Markham to discredit the earlier crimes imputed to his *protégé*. Since, however, he has thought it worth while to advance them, I have gone into the subject more fully than before, and with a mind quite willing to entertain the more favourable view, for I have never looked upon the evidences as at all conclusive ; but I must say that the more I do look into them the more the suspicion of Richard's guilt increases.

As to the circumstances of the usurpation, however, we are not, on the whole, so very much at variance. There is no doubt at all that they have been a good deal misrepresented ; but it is quite another matter to attribute to bad faith on the part of More or Morton the mistakes that occur in the history attributed to the former. For it is quite natural that many years after the events the true order of their occurrence should have been misapprehended, and even that other errors should have been imported into the story which seemed to harmonise with its general drift. In fact, I have always considered that the usurpation itself, even if it could not have been altogether vindicated, might possibly have borne a somewhat less sinister aspect if it had not been for the murder by which it was soon after followed, and for another murder which preceded it—I mean that of Hastings. But Mr. Markham has got altogether a new version of this latter story, which we must now consider.

⁹ See my *History of Richard III*, 45, 46.

There is no doubt whatever about the fact, declared by a concurrence of testimonies, that Hastings was suddenly arrested at a council in the Tower on Friday, 13th June. Hitherto it has also passed without question that he was beheaded the same day, 'in all haste,' as Fabyan tells us, and 'without judgment or long time of confession or repentance.' But Fabyan is one of those Tudor writers whose testimony Mr. Markham will not credit except where it is convenient; and, though the words of the Continuator of Croyland on this point go to confirm the fact, Mr. Markham will have us believe that the Friday (he admits it was a Friday) on which Hastings was executed was not the day he was arrested but a week later, and that in the meantime he must have had a regular trial (which of course must have been by a jury of his peers), though there is no record of any such, even in the *Baga de Secretis*.

How is this novel conclusion reached? It rests mainly on the authority of a contemporary letter written by Simon Stallworthe, who, as I may mention (for I had not noticed the fact when I wrote my book), was a prebendary of Lincoln, to Sir William Stonor, a gentleman of Oxfordshire. This letter, which is dated at London, 21 June, says: 'On Friday last was the lord chamberlain (Hastings) headed soon upon noon.' Now, it strikes me that a man writing on the 21st of a month about what was done on the 20th would probably have said 'yesterday' and not 'Friday last,' although the 20th actually was the last Friday before the date of his letter. Indeed, I should be disposed to think, even without any other evidence, that he meant to have written 'Friday last week;' and I think the omission of a single word is all the more conceivable when we find that the letter was written in a state of great agitation, and concludes with the sentence 'I pray you pardon me of more writing; I am so sick that I may not well hold my pen.' We need not ask whether his agitation was due to a *coup d'état* accompanied by the summary execution of a great nobleman and the arrest and imprisonment of two bishops.¹⁰

But the theory that Hastings was executed a week after his arrest is confirmed, it seems, by two other witnesses—and these the very writers whose credit in other things Mr. Markham wishes to destroy. In other things? No, in this very thing itself, for they both say that the execution followed immediately after the arrest,

¹⁰ Mr. Markham says that the theory that Stallworthe meant Friday last week is disproved by the very next line of the letter, in which it is said that 'on Monday last' young Richard came out of sanctuary. 'If "Monday last,"' says Mr. Markham, 'meant Monday last, "Friday last" must be taken to mean Friday last.' Surely not, otherwise Stallworthe was reporting events in reverse order. Any one who reads the letter without being anxious to prove a point will assuredly believe that 'Friday last' was an earlier date than 'Monday last.'

and one of them (More) says the Protector swore he would not dine till he had seen Hastings' head off (somehow I can't help connecting this with the expression in Stallworthe's letter that he was 'headed soon upon noon'). But how, then, do More and Fabyan also confirm that interval of a week which Mr. Markham says occurred between the arrest and execution? Why, by dating Richard's accession, both of them, some days too early! This, however, requires a little explanation. The truth is that Fabyan, who makes an awful muddle of his dates, speaks of Shaw's sermon as having been delivered 'on Sunday following' the execution of Hastings, instead of the second Sunday after, and then says Richard assumed the crown on 'Thursday than next ensuyng, beyng the xx. daye of Juny' when the 20th June was not a Thursday at all, and the true date of Richard's accession was Thursday the 26th. Of course, the one *true* thing in Fabyan's chronology according to Mr. Markham is that Dr. Shaw's sermon was really preached the Sunday after Hastings was executed. Therefore Hastings was executed, not on Friday the 13th, when he was arrested, but on Friday, the 20th, for there is no doubt Dr. Shaw's sermon was on the Sunday preceding Richard's accession. All the other dates in Fabyan were pure inventions, though very clumsy fabrications; but Morton (More), to make it a little more plausible, fixes the date of Richard's accession on the 19th, which was really a Thursday. Such an hypothesis, surely, will hardly commend itself to serious students of history.

The utmost that can be said even to palliate the execution of Hastings is that it may have been devised to prevent the execution of some equally violent project arranged between him and the Woodvilles. But the theory that 'it was a question of hours' and that Richard only just saved himself by prompt action will not hold for a moment. He had written to York of the designs of the Woodvilles three days before (10 June) desiring troops to suppress them, and he also wrote to Lord Nevill on the 11th with the same object.

On the subject of the usurpation itself I have nothing to remark except that Mr. Markham carries the argument about the suppression of evidences by Henry VII a little too far. Parliament in Henry's time ordered the destruction of all copies of the petition to Richard to assume the crown. It was naturally considered a thing in itself scandalous and calculated to disturb the succession. But to say that 'the original draft' of this petition was preserved 'by a mere accident' is misleading. I cannot tell, for my part, if 'the original draft' still exists; but the enrolment of it, made in due course on the rolls of parliament under Richard III, was never destroyed, but has been kept securely in the custody of the Master of the Rolls from that day to this. It was, however, so long before the public had access to these records, or any pushing inquirer asked

to see the roll, that the facts of the case remained almost unsuspected for centuries.

Want of space precludes me from dealing further with the less important parts of Mr. Markham's argument, and I must now proceed to the main question—the murder of the princes, about which we are asked to consider two things: first, the evidence that Richard did not do it, and, second, the evidence that Henry did do it; for Mr. Markham is not one of those who hold that such a deed was not done at all.

First, then, as regards Richard. After what has been already said, Mr. Markham's argument from his (supposed) previous good character will hardly be considered weighty. Nor is his brother Edward's confidence in him much to the point, as during Edward's life he had only committed murders in Edward's own interests. These and other *à priori* arguments we may simply set aside and inquire what is to be said about positive facts.

The first point that Mr. Markham finds is that in some regulations laid down for the royal household in the north in July 1484 it is appointed that 'the children' should be 'together at one breakfast.' Of course this would be most conclusive evidence that Edward V and his brother were alive nearly a year after their supposed murder if it were only clear that they were 'the children' in question; but is it at all likely that persons who had occupied such a position in the world as they had done would be so described in an official document? Yet this, so far as I can see, is all the positive evidence Mr. Markham has to produce that the princes were not murdered towards the close of the summer of 1483. We have now to consider the positive evidence that they were.

Of course we cannot expect Mr. Markham to accept the testimonies of Tudor authorities like Fabyan, Rous, and More; but it is impossible for him not to show some kind of deference to the Continuator of Croyland, whom he has all along upheld as the most trustworthy of all the original authorities. Well, what does this writer say? Why, that after it had been proclaimed that the duke of Buckingham was going to take the lead in a general rising against Richard all over the Southern and Western Counties, '*vulgatum est dictos Regis Edwardi pueros, quo genere violenti interitus ignoratur, decessisse in fata.*' That is a pretty considerable morsel to digest, for one who would dispute the fact of the murder at this time—all the more when he admits that 'the statement was made in good faith.' He thinks, however, that the writer 'may have been deceived in thinking there was any rumour at all.' 'If the rumours had really existed,' says Mr. Markham, Richard would not have been taken by surprise when on the 11th October he heard of an outbreak in Kent.

No previous rumours can have reached him, and they must have reached him if they had gained the popular ear. We must, therefore, conclude that there was no rumour that the young princes had been murdered.

Really, that is the most extraordinary way of dealing with original evidences that I ever met with. A monk of Croyland Abbey learns that there is a rumour and says so in his chronicle. The fact reported may, of course, not be true, but, as we are told that he writes in good faith, how could there have been no such thing as a rumour? Mr. Markham, indeed, once more traces it all to Morton, who, as we have it upon record, had by this time escaped from the keeping of the duke of Buckingham and found refuge in his own fenny diocese of Ely, where he could not easily be got at. But he himself could easily have got at Croyland, which was quite close at hand, and where he must have been telling lies to the monks to write in their chronicle. There was no rumour, Mr. Markham thinks, elsewhere in England at all! I feel really quite abashed to think that the poverty of my imagination would never have found this key to the mystery unaided. But surely, if not in England, it does *look*, at least as if there was a rumour of the same kind in France! For in January 1484—less than half a year after Richard's supposed crime—we find the Chancellor of France alluding to it as a fact in addressing the Estates-General at Tours and urging his own countrymen to take warning by it, as their king, like poor Edward V, was then a minor.

Regardez, je vous prie [these are the words he used], les événements qui après la mort du Roi Edouard sont arrivés dans ce pays. Contemplez ses enfans, déjà grands et braves, massacrés impunément, et la couronne transportée à l'assassin par la faveur des peuples.¹¹

Was this not a real rumour either? Why, no. Even this, we are asked to believe, was inspired by Morton, who was now in France—though, as Mr. Markham justly observes, there were other Lancastrian exiles there quite capable of spreading such a tale. If, however, the story, true or false, was so industriously propagated, and declared in this manner to the assembled Estates at Tours, is it not going rather far to suggest that it could have made no great noise in the world? Yet this is what Mr. Markham seems to look upon as possible when he writes as follows:—

The calumnious insult to the King of England uttered by the French Chancellor may not have reached Richard's government.

And to this suggestion he immediately adds:—

¹¹ *Journal des Etats Généraux de France tenus à Tours en 1483-4*, p. 39.

If it did, it must have been apologised for, or explained away, for some months afterwards, in July 1486, King Richard received an embassy from the French regency to treat of peace.

Where Mr. Markham got this information I do not know. The date is doubtless partly or wholly due to misprint, for of course he knows that Richard's reign terminated in August 1485; nor can I find that Richard received any French embassy in the July either of 1484 or 1485. But it is clear enough that it was England, not France, that made the first bid for peace, and that Richard himself was ready enough to overlook the 'insult,' for reasons which we may interpret as we please. For he wrote to the French king from Cambridge on 11 March, 1484, within two months after the French chancellor's oration at Tours, to desire credence for Thomas Langton, bishop of St. David's, to whom on the 21st he gave powers to conclude a truce. No conclusion, however, was reached when Langton passed on from the French court on a further mission to Rome; and it was only on 12 August that Charles VIII, that is to say his council, wrote back to Richard in a tone which, whether sincere or not, was one of reciprocity. No French ambassadors could have been sent to England before September, when Richard signed a safe-conduct for their coming, but there is grave reason to doubt whether they ever came at all. It is quite certain that very soon after the French council gave assistance to his rival Henry of Richmond.¹²

But the point I am anxious to know about is this: if it was really a delusive report which reached first the honest chronicler of Croyland and secondly the chancellor of France, is it not strange that we have no record at all of people in either country having discovered that they were deluded? Some of us can remember in 1854 the false news which reached this country of the fall of Sebastopol just after the battle of the Alma. A year later the fall of Sebastopol was an accomplished fact. But suppose, somehow or other, instead of copious newspapers, one or two private diaries of the nineteenth century were all the original authorities for these events that could be found some centuries later, is it likely that even in these the false rumour would have been allowed to stand without subsequent contradiction until it pretty nearly corresponded with a truth of after date?

The Continuator of Croyland mentions the rumour as an uncontradicted report in which he evidently believed himself, and he certainly had ample time before Henry came to the throne to have added 'this was found afterwards to be inaccurate,' if there was

¹² Rymer, xii. 221, 223, 234. *Séances du Conseil de Charles VIII*, 1484, pp. 45, 128 (*Documents inédits*).

any ground for saying so. The speech of the chancellor of France, in like manner, is ample evidence that the report was widely circulated upon the continent; and if it had not been so up to that time such a speech would of itself be sufficient to give it very general currency. If, then, the report was altogether false and was known to be false in England, surely the refutation of the scandal must have followed soon as a matter of course; and it would have been absolutely impossible for Henry, whatever else he might succeed in doing, to make his subjects believe at a later period what they had once known to be an idle tale. Nay, even if he could have made his own subjects believe it, surely he had no power, at all events, to make Philip de Commines do so after the rumour had been contradicted and discredited. Yet there it is, recorded in his history as a fact (Book V, ch. xx.) that Richard III murdered his two nephews—just what the chancellor of France had said before.

But apart from this argument, there is another almost equally strong. If the murder in Richard's days was not a fact, but the princes were known to be still alive, how did Henry even hope to obtain the crown? The story hitherto received has always been that after Buckingham's rebellion he obtained the support of disaffected Yorkists in Brittany by promising on oath that he would marry the Princess Elizabeth, the heiress of the house of York, as soon as he should obtain the crown; so that his weak Lancastrian title was made stronger by a prospective union of the claims of both the Roses. But this could not possibly have been the case if, as Mr. Markham suggests, Elizabeth's two brothers were believed to be still alive; and Henry's successful invasion of England becomes then quite a different matter from what we have always been taught to regard it. We must consider that he obtained the crown on a mere Lancastrian title, and that a rather weak one; or else that by sheer conquest, by the aid of foreign mercenaries, he not only defeated and slew in battle the reigning king, but set aside without the smallest difficulty the two princes in whose behalf the people had been ready to rise against King Richard.

Now, these princes may or may not have been illegitimate, as Stillington averred. I pass that question by. It is quite sufficient for my argument that Henry himself after his accession felt that his position on the throne would be strengthened by marrying their sister Elizabeth of York. How could the sister be of so much consequence while her two brothers were still alive? If they were illegitimate, so must she have been also; if her legitimacy were considered clear, then theirs was equally so. And yet Henry VII comes to the throne while the two brothers (Mr. Markham tells us) were still alive, and strengthens himself by marrying their sister.

More extraordinary still, the two brothers who are known to be alive at his accession are made away with at some indefinite time afterwards—Mr. Markham thinks in June or July 1486—within a year after Henry's accession and some five months or so after his marriage. They disappear and nothing more is heard of them—not even a 'rumour' of their deaths. Did nobody care what had become of them?

Mr. Markham will have to rewrite a great deal of English history, and to explain a great many things to us, before he can make his view in the least degree plausible. For it must be remembered that, although comparatively few contemporary evidences exist to show the impression made by these events upon the public mind, yet the facts were alluded to long afterwards, even in the reign of Henry VIII, when they were not a whit older than our own recollection of such things as the repeal of the corn laws, the great exhibition in Hyde park, or the Crimean war; and it is quite a mistake to suppose that all free expression of public or private opinion in those days could be burked by authority. In 1525, just forty years after the death of Richard III, the mayor and aldermen of London ventured to speak a good word for him, in reply to Cardinal Wolsey; but the thing they said in his favour was exceedingly significant. They were pressed by the court for a benevolence, and replied that such a demand was contrary to a statute of Richard III. 'Sir,' said the cardinal, addressing one of the aldermen, who was their spokesman, personally, 'I marvel that you speak of Richard III, which was a usurper and a murderer of his own nephews. Then of so evil a man, how can the acts be good?' 'An it please your grace,' replied the other, 'although he did evil, yet in his time were many good acts made, not by him only, but by the consent of the body of the whole realm, which is the parliament.'¹³

So Richard and his parliament (which, it must be remembered, confirmed his title) had some good spoken of them, even in Tudor days; and there were times (as we know from the latest evidences) when the subjects of Henry VIII declared that King Richard was never so hated by his people as the king they had then.¹⁴ Nay, there were times when, groaning under Henry's tyranny, they would have welcomed the emperor's aid to dethrone him, and even told the imperial ambassador that the validity of his title might be questioned on the ground that his mother had been declared by Bishop Stillington to be of illegitimate birth.¹⁵ So that it seems the grounds of Richard's usurpation were not altogether forgotten (notwithstanding the destruction of documents), nor even altogether

¹³ Hall's *Chronicle*, 698.

¹⁴ *Calendar of Henry VIII*, vi. p. 226.

¹⁵ *Ibid.* vi. 618, vii. 519.

discredited, in a later age. But there was no time, so far as I know, in the reign of Henry VIII, or in that of Henry VII, or even in that of Richard himself, in which the greatest crime attributed to him—the murder of his nephews—was not believed to be a fact.

It is quite unnecessary, from this point of view, to examine once more the coherency of the story of that dark deed as given by Sir Thomas More. The details may be more or less inaccurate, but the fact itself was certain from the first. Everybody knew that the crime had been committed—nobody knew exactly, for a long time, how it had been done. Some, indeed, cherished for a while a faint belief, or hope, that the princes might have somehow escaped over sea, and so been preserved alive. But it was plain that neither at the outbreak of Buckingham's rebellion, nor at any time after, was Richard able to produce them; otherwise Tudor writers would have found it no more possible to charge him with the crime than it was for King Sigismund to alter a Latin gender. I have given my own explanation in my '*Life of Richard III*' of what I believe to have been the source of More's information; and I think it is the true one. I believe nothing was known of the details or of the instruments of the murder until the execution of Sir James Tyrell in 1502. Men were convinced the children had been made away with, they could not tell how or by whom. But when Tyrell was condemned to death for a totally different offence, and knew that he must suffer, it was only natural that he should confess himself to a priest, to whom he revealed the full details of the story. His confession implicated only one man alive, his old servant Dighton, and, the matter being so serious, Dighton was examined about it, no doubt under a promise of pardon, considering that a knowledge of his guilt was only obtained under seal of confession from another man. This will explain the statements of Sir Thomas More, first, that Tyrell and Dighton were at that time examined and confessed the crime, and secondly, that, of its instruments at the time he wrote, Dighton still remained alive, 'in good possibility to be hanged ere he die.'

Now, if this be the way the story really came to light, Mr. Markham has no ground for his contention that, 'if the confessions had ever been made, Tyrell and Dighton must have been tried and convicted for these atrocious murders, and duly punished.' Tyrell, certainly, could not be tried for the murder, when he was already under sentence of death for another crime; and as for his servant Dighton, whose agency in the matter, but for his confession, would have remained still a secret, and who, as a matter of fact, could not have been convicted at that time if he had chosen to deny it, there can be very little doubt that he confessed on a promise of pardon. But, again, Mr. Markham is not justified in saying that either Tyrell's

or Dighton's confession 'would certainly have been published if it was ever made.' On the contrary, Tyrell's confession to the priest would certainly not have been; and to publish Dighton's, as a formal statement, would have had much the same effect. Moreover, the king's pardon could hardly have protected him from the fury of the people.¹⁶

And now, having disposed of Mr. Markham's evidences that Richard did not commit the crime, it is hardly necessary to refute his argument that Henry did. Let us see, however, what it amounts to. An historical fact in the immense majority of cases can only be established by positive testimony believed to be trustworthy; but in some rare instances, perhaps, an inference from other facts may be sufficient to prove it without positive testimony to the fact itself. What is the case here? Why, we have no positive testimony at all that Henry committed such a crime. Not a single writer ever asserted such a thing. Not a scrap of evidence exists to show that anybody ever suspected it. Mr. Markham will not believe writers who say that Richard did the deed, but he will believe that Henry did it without any testimony to that effect at all.

What are his reasons? If the fact is to be made to rest merely upon inference, we have a right to ask at least that the inference shall be carefully drawn and shall have in itself an inherent probability sufficient to maintain it, even in opposition to the presumption which the absence of positive evidence in this case naturally creates. But all that Mr. Markham even attempts to prove is that the detailed story of the murder can (at least in part) be made to fit the beginning of Henry VII's reign better than the reign of Richard III. For Sir James Tyrell, as was long ago pointed out by Horace Walpole, was far too distinguished a person, long before the date of the murder, to require an introduction to Richard through the king's 'secret page;' but under Henry VII he found himself out of favour, having lost some valuable promotions as an adherent of the house of York. If then, we begin by accepting the theory that Henry, having married Elizabeth of York while her brothers were alive, found he must get rid of *them*

¹⁶ Odious as his crime was, I believe the government was induced not only to spare Dighton for the reasons above given, but even to protect his private confession from being too much talked about. The queen, Elizabeth of York, of course must have been deeply interested in the story of what had happened to her brothers, but the details could never have been given except in private. Polydore Vergil, writing after Tyrell's disclosure, gives the same story as More about the part taken by him and Brackenbury in the matter, but says nothing of any other agents. More obtained his knowledge, as he tells us, 'by such men and by such means, as methinketh it were hard but it should be true.' And More himself, who left his history an unfinished fragment, never intended, in all probability, to publish it for a long time after it was written.

to be quite secure, and suppose that, being on his progress to York, he commissioned John Green (the very man named in the story) to go to London and get the lieutenant of the Tower (not Brackenbury, of course, who had died fighting for Richard at Bosworth, but Digby)¹⁷ to put the lads to death; that Green failed to persuade Digby to do the deed; that Henry (not Richard) exclaimed 'Whom shall I trust?'; that some one (probably of higher rank than a page) suggested to him that Tyrell would stick at nothing for advancement; then we may consider that the whole story hangs together pretty well. For surely it is very significant that on 11 March 1486, when Henry was on the eve of setting out for York, he actually made a grant to John Green of a third part of the manor of Benyngton in Hertfordshire.¹⁸ What could this have been but a bribe to do some infamous service? One other name, however, besides Brackenbury's is clearly wrong; for Miles Forest was dead before Henry came to the throne; besides, he could have had nothing to do with the Tower, being keeper of the wardrobe at Barnard Castle in Durham. And as to Dighton, another slight correction is necessary. 'He was not Tyrell's horsekeeper, nor probably the actual murderer.'¹⁹ He was, it seems, a priest, 'probably a chaplain in the Tower,' who may have been only an accessory after the fact in connexion with the interments.'²⁰

How far it is legitimate to enlarge the bounds of history by the use of the words 'probably' and 'may have been' is always a nice question. But when these airy conjectures are opposed to positive statements, even of second-rate authorities, they should be looked upon with considerable suspicion. If there is one character in the story of whom Sir Thomas More may be supposed to have been able to form some estimate, it was surely the man who was alive at the time he wrote, who was evidently not a priest,²¹ else he would not have called him a horsekeeper, and of whom he declared that he still walked about 'in good possibility to be hanged ere he die.'

Surely Mr. Markham might have contented himself with general observations as to the uncertainty of the detailed story of the assassination without indicating that he knew one of More's con-

¹⁷ Mr. Markham, I think, must mean Daubeney, as there was no lieutenant of Calais of the name of Digby at the time.

¹⁸ This is not quite the real effect of the grant; but no matter.

¹⁹ Mr. Markham's article, p. 278 (*ENGLISH HISTORICAL REVIEW*, vi. No. 22).

²⁰ *Ibid.* p. 280.

²¹ I presume Mr. Markham had found out by a reference to Campbell's *Materials for the Reign of Henry VII*, ii. 148, that a clergyman of the name of John Dighton was presented to a living in the diocese of Lincoln on 1 May 1487. Is this the only reason he has for flatly contradicting More by denying that John Dighton was Tyrell's horsekeeper? I can see no other.

temporaries better than More himself did. But I feel that I need pursue the hypothesis of Henry's guilt no further. Even if it had been really possible to whitewash Richard III, it would have been monstrous to accept such a very gratuitous supposition without any evidence at all. And I think I have sufficiently proved that to whitewash Richard III is an utterly hopeless task.

JAMES GAIRDNER.

The Royal and Merchant Navy under Elizabeth

WHEN Henry VIII died he left the kingdom better equipped for both attack and defence than it had ever before been under any of his predecessors. Whether moved by sagacious prescience, or merely yielding to the desire for display, he had built a fleet remarkable both for the number of the ships composing it and for their size. He brought over Italian shipwrights to teach Englishmen the art of shipbuilding, and organised an admiralty, the beginning of a great department of state, with dockyards, victualling, ordnance, and subsidiary branches. He had surrounded the coasts with blockhouses and forts, duly armed and manned.¹ He used the national revenues freely in endeavouring to obtain good harbours for the general welfare, spending during his reign 80,000*l.* in fortifying, dredging, and embanking Dover haven, always a port of national importance; the name and position of one of his forts there still survive in those of its successor, the present Archeliff battery. It is not easy to rate the value to Elizabeth during the doubtful earlier years of her reign, and when a French royal navy had practically ceased to exist, of the possession of a fleet of fighting ships, smaller it is true than that of Spain but concentrated within striking distance of that power, while Spanish maritime strength was necessarily dispersed over two hemispheres.

When Edward VI came to the throne, in 1547, the royal navy numbered thirty vessels amounting to 10,330 tons, and fifteen 'rowbarges' of twenty tons each, besides some still smaller hoys and boats.² The famous 'Henry Grace à Dieu,' shortly afterwards burnt at Woolwich, is the largest in this list. The next largest is the 'Jesus,' of 700 tons. This is doubtless the 'Jesus of Lubeck,' bought in 1545 by Henry from the Hansa league, and lost by Hawkins in 1568 at San Juan de Ulloa. This vessel is said to have been the last man-of-war bought from foreigners, for, before the time of Henry VIII, it was customary for our kings to purchase

¹ A large portion of this expenditure on coast defence etc. was borne by the spoil of the monasteries. Cf. Gasquet, *Henry VIII and the English Monasteries*, ii. 534-5.

² *Archæologia*, vi. 218.

in Hanseatic or Mediterranean ports the few large fighting ships they possessed. She is followed by the 'Peter' and the 'Matthew' of 600 tons each, the 'Great Bark' and the 'Murryan' of 500, four of 450, three of 400, four of 300, and the remainder of smaller tonnage. Unfortunately, however, it appears from a comparison of the few navy lists which have come down to us, that they are in some ways untrustworthy. This is especially the case in the statements of tonnage; the same ship is given in one list as of 300 tons, in the next as of 350, and in the following one as of 260 tons.³ The 'Jesus of Lubeck' itself, though in this list said to be 700 tons, is, in the later ones of 1558 and 1562, reckoned a 600-ton vessel. This uncertainty was perhaps due to the rough and unscientific method of measuring tonnage, a method which will be subsequently touched upon more fully; in any case it vitiates dogmatic comparisons of the strength of opposing ships or squadrons.

Although the navy deteriorated during the reigns of Edward and Mary, it was not altogether neglected. Additions were made to it by the regency, for Edward notes in his journal his presence at the launch of the 'Primrose' and 'Mary Willobie;' on another occasion the whole of the fleet was equipped and moored in the Thames in order to impress the French ambassador, and papers relating to the execution of repairs and general administration are to be found in the various manuscript collections.

Shortly after Elizabeth's accession a full account was drawn up of the maritime resources of the country, both of the royal and merchant navy, at the disposal of the crown, as well as a return of the munitions in store, the number of men directly and indirectly available, and the general expenditure.⁴ Twenty-one ships are named as being in a serviceable condition, viz.—

	Tons		Tons
'The Great Ship'	800	'Swallow'	300
'Mary Rose'	600	'New Bark'	200
'Great Bark'	600	'Mary Willoby'	200
'Philip and Mary'	500	'Greyhound'	160
'Lion'	450	'Bull'	160
'Jennett'	300	'Tiger'	160
'Hart'	300	'Falcon'	100
'Antelope'	300		

And six more of smaller burthen, amounting in all to 5,510 tons. Ten others are recommended to be sold out of the service, but one of these ten is the 'Jesus of Lubeck,' and we know that she was not sold but remained in constant use until 1568. Two more appear in the list of 1562 as being available, so that it may be supposed that

³ The 'Foresight' in the lists of 1574, 1577 and 1580. There are many other like instances.

⁴ *State Papers Dom. Eliz.* iii. 44.

but few were absolutely condemned. 'The Great Ship' is certainly the vessel shortly afterwards named the 'Elizabeth,' and just launched in the presence of the young queen—a ship which took her share of all the stirring maritime adventure of the reign, and which was not condemned till 1618. The 'Great Bark' is perhaps the 'Hope.' Among the ten condemned vessels are two galleys. Galleys are frequently mentioned in these lists, but I have in only three instances been able to find a distinct reference to a number of oarsmen, implying a vessel of the typical galley construction and size. Ordinarily the name may have been given to small sailing vessels of a particular build.

There are also forty-five merchantmen, in all of 7,000 tons, available for use with the men-of-war, for, it need hardly be said, the fighting ship was not yet strikingly differentiated from the armed merchantman, and the merchant vessel was fitted not only for trade but for action if a profitable chance of privateering presented itself during her voyage. The optimistic official who drew up this report went on to propose that during the ensuing five years thirty new ships, of from 60 to 800 tons burthen, should be built. He may have lived to know that not that number of new ships were built during the remainder of Elizabeth's reign.

The ordnance afloat numbered 264 brass, and 48 iron guns, but this proportion of brass to iron was gradually reversed. The heaviest piece used on shipboard was the cannon, of which there were sixteen, each weighing 7,000 lbs. and throwing a 60 lb. ball. Next is the demi-cannon weighing 6,000 lbs. with a 30 lb. ball. Then the culverin, in weight 4,000 lbs. and having a 17½ lb. ball; and this is followed by the demi-culverin of 3,000 lbs. and carrying a 9 lb. ball. There were also sakers, minions, and several other varieties of guns; but the most generally useful piece was the culverin, which became the favourite ship gun, and at a later period, when the navy was much larger, there were even fewer than sixteen cannon afloat. The weights given appear, however, to be somewhat academic, seeing that a contemporary writes, 'the founders never cast them so exactly but that they differ two or three cwt. in a piece.'⁵

The first detailed list of large merchant ships is that of 1560.⁶ Such lists, equivalent to those of ships now built to Admiralty requirements, are frequent during the later part of the sixteenth century. By such a method the government readily knew how many vessels could be relied on as fighting auxiliaries, and how many could be used as tenders and storeships; it also enabled the council to judge whether the measures taken for the protection and encouragement of English shipping were successful. This return of ships of 100 tons and upwards is apparently incomplete, there

⁵ *State Papers Dom. Eliz.* cexlix. 43.

⁶ *Ibid.* xi. 27.

being no entry for such a port as Bristol for instance. London possesses 21, two of which, the largest in the whole list, are of 300 tons; Newcastle is next with 14, Dartmouth and Kingswear 9, Hull 6, Plymouth 4, Southampton 1, while Liverpool has none. The total is 76, but, as has been noted, there are no reports for Bristol and several of the western counties. The number of seamen available is upwards of 7,000, but this does not appear to have included London and some other districts. Cornwall ranks first with 700 men, Essex next with 550, Liverpool possesses 56 seamen.

Mary left the crown deeply indebted and with some 7,000*l.* due to the admiralty, although the sum allowed for ordinary naval expenses had been comparatively large. Concurrently with an increase of national expenditure there was, for the moment, a general decline of commerce and a shifting of the centres of commercial distribution, especially felt by the older seaports. Yarmouth petitions in 1559⁷ for relief from the payment of the fifteenth on account of their loss of trade—in the preceding list of ships Yarmouth only counts for four vessels of more than 100 tons; their harbour has cost them 1,000*l.* a year and is not yet finished; the town walls cost them 100*l.* a year, and the relief of their poor yet another hundred. In 1565 Yarmouth had 553 householders, 7 sea-going ships of which the largest was 140 tons, 25 smaller ones, and 81 fishing boats, together with 400 seamen.⁸ Doubtless the burgesses made themselves out to be in as bad case as possible, but similar complaints came in from all quarters. Hythe had from 80 vessels and fishing boats sunk to eight; Winchelsea — ‘there is at this present none, and the town greatly decayed.’⁹ The complaints of Chester are chronic to the same effect: her merchants lost 22,000*l.* in seven years from piracies and shipwrecks; while Hull in a shorter period lost 23,000*l.* from the same causes.

Throughout her reign the queen frequently hired out men-of-war to private adventurers for trading, exploring, or privateering purposes. In 1563 the ‘Jesus of Lubeck’ was lent to Dudley and others to trade to Africa, for which they paid 500*l.* She was then, after nearly twenty years of service, valued at 2,000*l.*, for which amount the hirers had to give their bonds.¹⁰ She was returned in 1565, was at Padstow in October, and ‘cannot be brought to Gillingham till spring of next year.’ The rate of hire, and it remained constant during the rest of the century, was two shillings a ton per month. The adventurers could not therefore have procured a 600-ton vessel, for two years, for 500*l.* from any owner but the State. And, as she had to remain at Padstow during the whole winter, it may be inferred that she returned in a very unseaworthy condition, for Elizabethan seamanship was certainly

⁷ *State Papers Dom. Eliz.* viii. 36.

⁹ *Ibid.* xxviii. 3.

⁸ *Ibid.* xxxviii. 8.

¹⁰ *Ibid.* xxxvii. 61.

equal to taking a ship up channel during the winter months. She was hired by Hawkins in 1568, and was the first of the only two men-of-war lost to Spain during the entire reign.

The type of ship of course varied according to the purpose for which she was designed. In a paper by William Borough three orders are described¹¹:—

1. The shortest, broadest, and deepest order.

To have the length by the keel double the breadth amidships, and the depth in hold half that breadth.

This order is used in some merchant ships made for most profit.

2. The mean and best proportion for shipping for merchandise, likewise very serviceable for all purposes.

Length of keel 2 or $2\frac{1}{4}$ that of beam. Depth of hold eleven-twenty-fourths that of beam.

3. The largest order for galleons or ships for the wars, made for the most advantage of sailing.

Length of keel three times the beam. Depth of hold two-fifths of beam.

The 'rake,' or overhang, of bow and stern in ships built on this last plan would be nearly half the length of the keel, and it is probable that such vessels were but little worse sailers than the ordinary merchantmen of the beginning of this century, at any rate before the wind. The art of sailing on the wind was but little practised; the top-hamper of lofty sides, half deck, quarter deck, poop royal and forecastle levered the vessel off to leeward, while, judging from the inventories, it was not yet supplied with fore and aft sails.

Many improvements however were introduced; movable top-masts, chain pumps, capstans, the log line, studding and top-gallant sails were all new during this reign.¹² The lower ports were now four feet above the water line instead of the sixteen inches customary during the middle of the century. Raleigh is emphatic in his disapproval of deck cabins: 'they are but sluttish dens that breed sickness in peace, serving to cover stealths, and in fight are dangerous to tear men with their splinters.' Nevertheless others thought differently, and in view of the large crew of a man-of-war and crowded, narrow quarters, some deck accommodation was perhaps absolutely essential. Both half deck and forecastle were barricaded and pierced for arrow and musketry fire. In ships 'built loftie' there was another, and

¹¹ *State Papers Dom. Eliz.* ccxliii. 110.

¹² *Raleigh* (ed. Birch, 1751), ii. 78. But if top-gallant sails were used during the reign of Elizabeth, it must have been towards the close, as I do not find them mentioned in official papers till 1618. Studding sails were not those now known by that name. They were called 'bonnets' and 'drablers': the bonnet laced on to the foot of the ordinary sail, the drabler on to the foot of the bonnet. The invention of the log line is claimed for an Elizabethan Englishman named Humphrey Cole, but it appears to have been in use at least as early as 1521 on board Magellan's ships.

perhaps even a third, tier over the half deck and forecastle, of similarly defended cabins. The waist was partly open on the upper deck, while below, on the main deck, were again loopholed bulkheads running transversely, so that if the ship were boarded her assailants found themselves exposed to a galling cross-fire from the defenders. During the whole of this century gravel ballast only was used, and for such crank vessels a large quantity was necessary. It was seldom changed, and becoming soaked with bilge-water, drainings from beer casks, and the general waste of a ship, was a source of injury to the vessel and of danger to the health of the men. The 'cook-room,' a solid structure of brick and mortar, was built in the hold on this ballast, and in that position, besides making the ship hot and spoiling the stores, was a frequent cause of fire. Moreover, ballast and cook room being practically immovable, nothing could be known of the condition of the timber and ironwork below; in 1578 Sir William Winter advocated the use of stone ballast and the removal of the cooking galley to the forecastle; but neither proposal appears to have been adopted.¹³ Even as late as the beginning of the eighteenth century the galleys were still sometimes in the hold. The large amount of space taken up by the ballast, the storage of cables, ammunition and other necessities, left but little room for provisions, and a ship had only food and drink on board for three or four weeks for her crew; the presence of a fleet of tenders was therefore required with all naval expeditions.

It is noteworthy that, notwithstanding the stress of work to which Elizabeth's ships were subjected, they were so well built that, with substantial repairs, they lasted through and beyond her reign. It has already been noticed that the 'Elizabeth,' launched in 1558, was in service till 1618; the 'Mary Rose,' built in 1556, the 'Triumph' and the 'Bonadventure' in 1561, were not condemned till the same year; and the 'Ark Royal,' launched in 1587, was lost in 1636 while still seaworthy. Others built during the first years of the reign are to be found in the last navy list of 1602. The life of a wooden ship was always much longer than is that of its iron successor. Among men-of-war may be mentioned the 'Royal Sovereign,' launched in 1637, which was in all the great naval actions of the reign of Charles II, and which was still in active service in the early years of the eighteenth century. Its successor, a new 'Royal Sovereign,' dating from 1712, served till 1786. The 'St. Michael,' a seventeenth-century ship, is said to have been afloat for nearly a hundred years, while the 'Royal William,' built in 1670 and rebuilt in 1719, was not broken up till 1813. To a certain extent the excellence of workmanship on the Elizabethan ships was perhaps due to the honourable competition among the three chief shipwrights:

¹³ Cecil MSS. Cal. pt. ii. 222.

employed—Peter Pett, Mathew Baker, and Richard Chapman. Captain John Davis, the explorer, says,¹⁴ ‘Mr. Baker, for his skill and surpassing grounded knowledge in the building of ships . . . hath not in any nation his equal.’ Mathew was the son of James Baker, master shipwright temp. Henry VIII, by whom ‘the building of ships to carry great ordnance was first brought to perfection.’¹⁵ Pett belonged to a family which produced master shipwrights continuously from the time of Mary I to that of Mary II. He was succeeded by his son Joseph, and then, in 1600, by his better known younger son Phineas Pett, who had been sent to Cambridge, but who did not think it unbecoming his university standing to start in life as a carpenter’s mate on a Levant trader. Pett’s first appointment was to Chatham, where his pay was 28s. a month, 18s. 8d. being that of the ordinary shipwrights. But they had free lodging and victualling or allowance for it.¹⁶

The earliest storehouses at Deptford and Woolwich date from 1512, and it is now impossible to trace the steps through which they developed into dockyards. In 1546 Henry VIII purchased Bowton’s docks, and long before Elizabeth’s accession the establishments were in full working order. Judged by the expenses of maintenance, Chatham was the most important station; for one quarter of 1589 Chatham costs 1,774*l.* (this includes the charges for building a new storehouse), Deptford 266*l.*, Woolwich 12*l.*, and Portsmouth 64*l.*¹⁷ In 1591 the expenses, again for one quarter, are: Chatham 563*l.* 17*s.* 7*d.* and Deptford 96*l.* 14*s.*¹⁸ As for individual rates of pay: Peter Buck, clerk of the cheque at Chatham, has 40*l.* a year, the chief clerks at Deptford and Portsmouth have 20*l.* each, and he of Woolwich 12*l.* 3*s.* 4*d.*¹⁹ Other important items were the charges for the various forts and blockhouses. One year’s work on the fort at Upnor, guarding the important anchorage of Gillingham Roads, cost 557*l.*; the maintenance of those at Dover was 288*l.*, that at Sandwich 58*l.*, Deal 69*l.*, Walmer 20*l.*, and 67*l.* for Sandgate.²⁰

Legislation had long been directed to the encouragement of English merchant shipping by protective enactments. Such enactments were varied or renewed by the 1st, 5th, 13th, 23rd, 27th, and 39th of Elizabeth. The coast fisheries were assisted by permission being granted to export fish in English bottoms free of custom, subsidy, or poundage,²¹ while the internal consumption was increased by a regulation prohibiting the use of meat on three days a week under penalty. The coasting trade was confined to English owned ships, and all English subjects who exported or imported in

¹⁴ *Seaman’s Secrets*.

¹⁵ *Cott. MSS. Otho E. ix. f. 123*.

¹⁶ *Ibid.* ccxxxviii. 25.

¹⁷ *Ibid.* 1564, xxxv. 19.

¹⁸ *State Papers Dom. James I, xcviij. 42*.

¹⁹ *State Papers Dom. Eliz. cccxvi. 79*.

²⁰ *Ibid.* ccxxvii. 48.

²¹ 5th Eliz. c. 5.

those belonging to foreigners were liable to aliens' duties. All imported wine and woad was to come in English vessels under pain of forfeiture, with an exception, for certain quantities, in favour of Wales and the Isle of Man; the export of wheat, rye, and barley was permitted in ships owned by Englishmen when such cereals were selling at certain prices. These measures were not fruitless. For 1576 is a list of fifty-one ships built in the preceding five years and attributed, rightly or wrongly, to the statute ordering abstinence from flesh on Wednesdays,²² while in 1581 the authorities of the Trinity House send in a certificate showing a large increase in the number of fishing boats, there being in a short time an addition of 114 on the east and south-east coasts alone between Newcastle and Portsmouth.²³

Other means were employed to encourage the construction of larger vessels. By a regulation due to Henry VIII, which remained in force till 1624, a bounty of 5s. a ton was paid to the builders of ships of 100 tons and upwards, and owners were forbidden to sell them to any foreign power. Towards the later years of the century, when the ocean trade had greatly increased, the payment of this bounty is occasionally noted. Between 1581 and 1594 there had been built—or rather had received the premium—46 such vessels, of which 25 belonged to London, 7 to Bristol, 2 to Southampton and one each to Hull and Liverpool.²⁴ The galleon 'Ughtred' of Southampton was of 500 tons,²⁵ and, when she was sent to sea under Fenton, was valued at 6,035*l.*—fitted, victualled and munitioned.²⁶

The 'Samaritan' and the 'Crescent,' both of Dartmouth, were respectively of 350 and 250 tons; the total amount paid was 2,623*l.* 5*s.* It is perhaps significant of the results of the years 1587–8–9 that, while only 46 such vessels had been built in thirteen years, there are, between 1592 and 1595, 48 large ships, of 10,622 tons, receiving a sum of 2,683*l.* 5*s.* In one year—1593—London obtains this aid on 16 ships, having in all 3,248 tons; Dartmouth is again far ahead of the other southern ports with 4 vessels of 820 tons.²⁷ For 1596 and 1597, 3,147*l.* 10*s.* was paid on 57 ships, and 56 of them belonged to London; two were of 400 tons each, the greater number of about 200 tons.²⁸

But probably the bounty was not always paid. At the foot of a list of merchantmen for the years 1572–9, the owners of which had given bond that they should not be sold to a foreign subject, the clerk writes: 'Whether all these or how many of them have had any allowance of her majesty I cannot tell, for that there is no

²² *State Papers Dom. Eliz. cvii.* 68.

²³ *Ibid.* cxlvii. 21, 22.

²⁴ *Ibid.* ccl. 33

²⁵ It must be remembered that a Portuguese carrack of 1,600 tons was, in 1592, considered the largest vessel then known. See *inf.* p. 482.

²⁶ *State Papers Dom. Eliz. cl.* 96.

²⁷ *Ibid.* celiv. 33.

²⁸ *Ibid.* cclxii. 126.

record of the allowance in this court.'²⁹ The total is 70 ships of 12,630 tons; the largest are, one of Bristol of 600 tons, one of London of 450, and one of Dartmouth of 400 tons. One entry, on July 9, 1577, is that Francis Drake of Plymouth gives bond for the 'Pelican' of 150 tons.³⁰ Sometimes, again, the five shillings a ton was not paid, but allowed on the customs as in 1595, when 636 crowns were granted to three London merchants, 'to be allowed on the customs of merchandise brought by said ships.'³¹ The allowance on the 'Daintie' belonging to Richard Hawkins was made in the same way.

The over-sea trade was chiefly in the hands of chartered associations, the Eastland company trading through the Sound to Norway, Finland, Sweden, Denmark, and Poland; the Russia company to Russia, Persia, and Armenia, the Turkey or Levant company to the dominions of the sultan, the Greek Archipelago, and, at first, the East Indies. Many of the largest ocean-going ships either belonged to, or were hired by, these corporations. In 1581 the Levant company possessed 14 ships varying in size from 200 to 350 tons; they mention in a petition that the new imposts levied by the Venetians are destroying their trade and that their ships are too big to be employed in other work.³² In the five years 1583-7, this company employed 19 vessels and 787 men in 27 voyages and paid 11,359*l.* in customs. Their agent at Constantinople cost 1,000*l.* a year besides presents to the Turks, and in 1591 they complain that, first and last, they have had to spend 40,000*l.* in maintaining agents, consuls, etc.³³ The Venice company sent ten or twelve ships yearly. The profits made by these companies were enormous—sometimes 500 or 1,000 per cent.—and their risks were fewer than were those of individual owners, for their large well armed and manned vessels were less exposed to the dangers of navigation and piracy, the latter a factor to be always reckoned with.

During the reign of Elizabeth piracy appears to have almost attained the dignity of a recognised profession. In 1563 there were some 400 known pirates in the four seas, and men of good family who subsequently attained official rank in the royal service—Champernownes, Oglanders, Killigrews, Careys, and Horseys—made their earliest bids for fortune as channel rovers. Proclamations were issued and commissions of inquiry formed, with but little effect. Occasionally, when an important personage was inconvenienced, a spasmodic effort was made and dire punishment momentarily followed; in 1573 the earl of Worcester, while travelling on an embassy, suffered pillage, and, as a consequence, 900 pirates were captured, of whom three who had robbed the earl were

²⁹ The Admiralty Court.

³⁰ *State Papers Dom. Eliz.* cxxxvi. 35.

³¹ *Ibid.* vol. ccli. 10 Jan.

³² *Ibid.* cxlix. 58.

³³ *Ibid.* cxxxiii. 13, and cxxxix. 44.

hanged.³⁴ But although pirates were frequently taken few were executed, and their aiders and abettors on shore, a class which included merchants, country squires, and government officials, were always let off with a fine. In truth the Elizabethan pirate was more than half patriot; if he injured English commerce he did infinitely more hurt to that of France and Spain, and he only differed in degree from the semi-trading, semi-marauding expeditions on a larger scale in which the queen herself took a share and for which she lent her ships.

The state papers are filled with petitions for redress and compensation and with commissions of inquiry issued to the various local authorities; claim and counter claim, from Englishman, Frenchman, Scotchman, Dane, and Hamburger, follow in endless confusion. In 1586 an Englishman writes to Burghley . . . 'being at St. Malo last month he heard that 16 of their ships had been rifled or taken by Englishmen . . . and that their hatred of the English was such that our merchants dared not walk about in public . . . men in authority, to recover their unthriftiness, sell their lands, buy ships and command the captain and company not to return without assurance of a very great sum.'³⁵ On the other hand Bristol had, in 1574, formally complained of St. Malo in that 'by common consent' they had set forth seven vessels to prey upon Bristol commerce. The court of admiralty had granted the Bristol merchants permission to seize St. Malo ships and goods, which perhaps explains the letter to Burghley just quoted.³⁶ In 1584 the French ambassador stated that, in the preceding two years, English pirates had plundered Frenchmen of merchandise to the value of 200,000 crowns; the only answer given was the general statement that Englishmen had lost more by French pirates.

Between 1564 and 1586 Englishmen had spoiled the Scotch of goods valued at 20,717*l.* and restitution had been made to the amount of 3,483*l.* But between 1581 and 1585 the Scot had plundered the English to the sum of 9,628*l.* and had restored only 140*l.*; from this proportion it may be concluded that the Scotchman was more successful than the Frenchman in adapting himself to the fashionable pursuit of the time.³⁷ Nor were the injured persons exposed only to the loss of their property. A Bayonne ship was captured by a Bristol privateer in 1591, and the owners came to England to obtain redress, but, after vainly expending 500 crowns, they were 'fain to leave off their suit and return to France to save their lives.'³⁸ But the Englishman did not fare better in France. In 1572 the 'Pelican' of London, belonging to

³⁴ Sir S. Baker, *The Office of Vice-Admiral of the Coast*. London, 1884.

³⁵ *State Papers Dom. Eliz. Add.* xxix. 126.

³⁶ *Lansd. MSS.* 148, f. 13.

³⁷ *Add. MSS.* 11, 405, ff. 91, 103.

³⁸ *State Papers Dom. Eliz.* cexlii. 44.

alderman William Bond and others, was seized by French pirates, the master and crew, twenty-three in number, murdered, and goods valued at 4,000*l.* taken with her. The thieves and the receivers were both well known, and the owners commenced a suit in the parliament of Brittany; but, after fruitlessly expending 1,000*l.*, prefer to 'leave all in hands of God rather than prosecute any more suits in France.'³⁹ Frequently there was little disguise as to ownership. In 1580 three Hamburg merchants petition that their ships were despoiled by 'one called the "Henry Seckforde," whereof is owner Henry Seckforde, esq., one of the gentlemen of your majesty's privy chamber.'⁴⁰ If business at sea was languishing, the pirate did not disdain to vary his methods; some Dunkirkers planned, and nearly succeeded in carrying out, the abduction of Sir John Spencer, known as 'rich Spencer,' on his way to his country house at Islington.⁴¹

Occasionally, but I think very rarely, the pirate changed his allegiance. Nicholas Franklin deposes: 'A year ago was with Captain Elliot when they took a fly boat of which Captain Elliot made a man of war; they went to Helford in Cornwall and brought in a Dieppe prize. . . . John Killigrew, captain of the castle there, warned them to be off as he was expecting the "Crane," one of the queen's ships; thereupon Elliot gave him nine bolts of Holland cloth and a chest, and they sailed to Cork . . . thence back to the channel, took four Scotch and Irish ships, thence to Isles of Bayonne.' Here they met some Spaniards, and his crew wanted to fight, but Elliot and his officers drew their rapiers and forced the men to surrender.⁴² Elliot was given the command of a Spanish galleon, and from another paper I gather that he was afterwards the cause of some Englishmen being racked.

Letters of marque were sometimes given, but they only faintly veiled the real character of the proceedings. In 1586 letters of reprisal were granted to Diggory Piper in the 'Sweepstakes' of London, an appropriate name for a privateer. He was authorised to attack Spanish and Portuguese ships; he commenced with some Flemings, continued with two French traders, and finished with a Dane having goods to the value of 3,000*l.* on board.⁴³ But if the merchantman escaped sea pirates the owner's troubles were by no means over. Commerce with the east could only be carried on by constant bribery; if he traded to Spain he had to reckon with the suspicious bigotry of the church or state, and on his return to England he had to deal with the more selfish dishonesty of custom

³⁹ *State Papers Dom. Eliz.* cv. 18; and *Lansd. MSS.* 148, f. 1.

⁴⁰ *State Papers Dom. Eliz.* cxxxix. 54. In 1603 these owners were still patiently petitioning James I.

⁴¹ Cox: *Annals of St. Helen's, Bishopsgate*, p. 260.

⁴² *State Papers Dom. Eliz.* cclxv. 13.

⁴³ *Ibid.* cxc. 7.

house officials, and sometimes of persons of higher rank. Three victims of Spanish procedure petition Burghley:—‘In this moste wofull manner sheweth unto Y^r Hon^r your suppliantes John Tyndall and Robert Frampton of Bristowe and Wm. Ellize of Alpertou . . . late marchantes and the Quene’s Majestie’s naturall subjectes, late in case right good to live and nowe in state most miserable. That where your said suppliantes did trade into Spayne in the way of marchandise—soe it is Rt. Hon^{ble} that besydes longe and miserable imprisonment, besydes the intollerable torment of the strappadoe, there susteyned by the authoritie of the Inquisitors of Spayne, your said suppliantes are there spoyled of all their goods to the value of 2,228*l.* 10*s.* 6*d.* to their utter undoing.’ Their ship was seized because a Cato in English was found on board—Spain and England being at peace. They go on to ask that they may have restitution out of Spanish goods in England.⁴⁴

It was a usual clause in a charter-party that a merchantman should carry ordnance and small arms. In the peaceful Bordeaux fleet of 1593 the three largest vessels carry from seventeen to twenty-one guns, all the others have from three to sixteen pieces of various sizes. Owners who escaped the risks of the voyage had to be prepared for trickery at home. Accusations of dishonesty are frequently brought against the officers of customs—‘they alter their books, leaving out and putting in what pleases them;’ the wages of the waiters were 12*l.* 16*s.* a year, but some of them kept large houses, the officers were said to attend about two and a half hours daily, and the chief ones seldom came at all. These latter, says the writer, appoint clerks who grow rich the same way, and these again take under-clerks who make their living out of the merchants; the chief posts are sold at high prices, while in the country the queen is defrauded of half the customs.⁴⁵ Another person writing to Robert Cecil in 1594 says, ‘There has been transported out of Rye within twelve months not less than 10,000*l.* of prohibited wares. The customs officers not only connive but help.’⁴⁶ Other examples might be cited to show that there had not been much improvement in the thirteen years, although the service had been reorganised in 1586, when the customer, Sir Thomas Smith, who farmed some of the imposts, had been compelled to disgorge a portion of his profits.⁴⁷ The revenue from the customs was 24,000*l.* in 1586, in 1590 50,000*l.*, and 127,000*l.* in 1603. If the merchant escaped the extortions of the custom house, he might find that persons of the highest rank did not disdain to avail themselves of the organised chicane of the law. In 1586 Leicester adventured a cargo to Barbary, and in the return lading the factor thought it safer, on account of pirates and other enemies, to mark all his employers’

⁴⁴ *State Papers Dom. Eliz.* cxx. 54.

⁴⁵ *Ibid.* (1581), cli. 6.

⁴⁶ *Ibid.* cexlviii. 80.

⁴⁷ Dowell, *Hist. of Taxation and Taxes*, i. 167.

goods with Leicester's mark. On the arrival of the ship 'Robin' claimed the whole cargo, and the law being on his side, the owners were compelled to compound with him for their own property.⁴⁸

Notwithstanding these and other hindrances to commerce, the returns show a steady increase in the size and number of English vessels. The necessities of over-sea trading accounted for the increase in size, and it may be supposed that then, as now, a large ship cost relatively less to work than did a small one. But an extension of commerce was sometimes thrust unwillingly on the English merchants. Some of them petition in 1571 that the trade with Portugal is of more value than that to the East Indies, and that an agreement should be come to with the king of Portugal by which Englishmen would undertake not to trade with the East if a free opening were given by that monarch in his European dominions. They say that the traffic to the East Indies, 'often attempted, hath taken small effect,' that in fifteen years no merchants had made any profit, 'except such as being spoiled there have made great gain by the recompense here.'⁴⁹ They did not foresee the future scene of the 'spoiling,' but during the greater part of the seventeenth century other companies, especially the Levant, held a much higher position commercially than did the East India Company.

There are many isolated returns of ships belonging to various ports scattered through the state papers, but the first detailed one, of those of 100 tons and upwards, subsequent to the list of 1560, is that of 1577. In 1571 Bristol possessed six such ships, the largest being of 200 tons; but in 1577 it has eight, and one of them measures 500 tons. The 'river of Thames' has 44, Plymouth 6, Newcastle 14, Southampton and Portsmouth 3, Hull 10, Fowey 3, and Poole 2. The total number is 135, and the report says that there are 656 vessels between 40 and 100 tons, besides 'an infinite number' of small barks.⁵⁰ The next list is that of 1582, when Bristol possesses 9 (again of 100 tons and upwards), London 62, Newcastle 17, Southampton 8, Hull 11, Fowey 3, and Poole 6. The full number is 177, a very respectable increase in five years, allowing for wrecks and other sources of loss. The tonnage of the 62 London ships is 8,180, that of the 8 Southampton ones is 1,680, one being of 500 tons; moreover, there are 74 vessels between 80 and 100 tons, and 1,383 measuring from 20 to 80; while to man this fleet there are 1,500 masters, 11,500 seamen, 2,300 fishermen, and 500 wherry-men who can be called upon for service.⁵¹ For 1588 the statement is only by counties and is incomplete, Hampshire and the west coast north of the Severn not being represented, but

⁴⁸ Malyne, *Lex Mercatoria* (1622), p. 200.

⁴⁹ *State Papers Dom. Eliz.* lxxxiii. 37.

⁵¹ *Ibid.* clvi. 45.

⁵⁰ *Ibid.* cxv. 1.

even with these omissions there are 175 ships of the class in question available.⁵² For February 1589 is a schedule of large merchantmen at sea during that month; thirteen, of 2,960 tons, are 'in the Straights,' five in Barbary, three are bound for Barbary, five for Bordeaux, eleven for Middleburgh, and six others for various destinations. The total tonnage is 7,220.⁵³ Evidently the government was kept well informed as to the position of the trading vessels which might possibly be required for transport or warfare. In 1585 there are 22 such armed traders noted as fit to join for immediate service with the queen's ships; their tonnage is 4,380, four of them being of 300, and nine of 200 tons burthen. Notwithstanding the various encouragements to native owners the foreign carrying trade was by no means destroyed, for in the year ending with September 1596 no fewer than 643 'strangers' ships' came to London.⁵⁴ In January 1597 there were 197 vessels entered inwards at London: two of them are from Stade, two from Tripoli, one from Venice, six from Spain, twenty-six from Bordeaux, ten from Dantzic, three from Hamburg, one from Scotland, and most of the others from the Low Countries.⁵⁵

We can know little of the internal economy of a merchantman in those days. The vessels were relatively as crowded and probably as unhealthy as a man of war; the victualling must have been of the same, or perhaps even worse, quality, seeing that the owners of merchant vessels were expected to buy government provisions if the navy office found itself overstocked. In 1596 there is a letter directing the lord mayor to forbid the city butchers to sell meat to ships until the government stores of salt beef were sold out. This is followed by an order from the council to the serjeant of the admiralty not to allow any outward-bound trader to pass down the river unless a certificate of such purchase was produced.⁵⁶

We have no means of estimating the mortality from disease on board merchant ships, but we know that in men-of-war it was very great. 'In the late queen's time many thousands did miscarry by the corruption as well of drink as of meat,' says a seventeenth-century writer,⁵⁷ and Sir Richard Hawkins thought that in twenty years ten thousand men died from scorbutic affections. In the expedition of 1589, out of 24,000 men employed nearly two-thirds perished, mainly from disease and want of food. In consequence of the lack of mechanical appliance it was necessary to carry very large crews, the proper allowance being three men for every five tons, one-third being soldiers, one-seventh gunners, and the remainder seamen; in merchantmen the proportion was one man for every five tons, one-twelfth being gunners and the rest sea-

⁵² *Cott. MSS. Otho E. ix. f. 162.*

⁵⁴ *Lansd. MSS. 81. f. 88.*

⁵⁶ *Ibid.* cccxxvii. ff. 169, 170.

⁵³ *State Papers Dom. Eliz. cccxii. 57.*

⁵⁵ *State Papers Dom. Eliz. cclxii. 21.*

⁵⁷ *State Papers Dom. Jas. I, xli. p. 119.*

men.⁵⁸ The accommodation was narrow and ill-ventilated, the requirements of sanitation unknown, the food frequently scanty or bad, so that the sailor was placed under conditions which rendered him a ready victim to disease. Hammocks do not appear to have been introduced till 1597, when a warrant authorises a payment for 300 bolts of canvas, 'to make hanging cabones or beddes . . . for the better preservation of their health.'⁵⁹ Provisions were supplied by a contractor, at first for fourpence halfpenny a day per man, but towards the end of the reign at a charge of sevenpence halfpenny; there were provided for every mess of four men, for 28 days, one pipe of beer, 112 lb. of salt beef or pickled meats, 128lb. of biscuit, 70 lb. of salt fish, butter and cheese, and 500 lb. of wood and water, all of which occupied one ton of stowage.⁶⁰ As a luxury, there was allowed to each man a half-pint of sweet oil a month, vegetables were very occasional dainties, and the regulation provisions were often bad in quality and deficient in quantity. Raleigh says that old oil and fish casks were used for the storage of beer. In 1587 the crew of the 'Lion' was mutinous, 'they declared what weakness and feebleness they were fallen into through the spare and bad diet;' in 1589 the masters of some hired Dutch transports beg to be released from their contract, there being obviously insufficient provisions; they were forced to sail, but many of their crews did die of starvation at sea.⁶⁰

The pages of Hakluyt relate much of the suffering endured by our seamen abroad from disease and privation, but instances may be found near home of the miseries borne by the men and of the callousness or scanty resources of the authorities. On 10 Aug. 1588, Howard writes to Burghley: 'sicknes and mortalitie begin wonderfullie to growe amongste us . . . the "Elizabeth" which hath don as well as eaver anie ship did in anie service hath had a great infectione in her from the beginning, soe as of the 500 men which she carried out, by the time she had bin in Plymouth three weeks or a month there were ded of them 200 and above, soe as I was driven to set all the rest of her men ashore, to take out the ballast and to make fires in her of swet broom 3 or 4 daies together, and so hoped therebie to have cleansed her of her infectione and thereuppon got new men, very tall and hable as eaver I sawe and put them into her; now the infection is broken out in greater extremity than eaver it did before and they die and sicken faster than ever they did, soe as I am driven of force to send her to Chatham . . . Sir Roger Towns- end, of all the men he brought out with him hath but one left alive. . . . It is like enough that the like infectione will growe through- out the most part of the fleet for they have bin soe long at sea and have so little shift of apparell . . . and no money wherewith to

⁵⁸ *State Papers Dom. Eliz.* clii. 19.

⁵⁹ *Ibid.* celviii. f. 10.

⁶⁰ *Ibid.* clii. 19.

buy it.' ⁶¹ On 22 Aug. he writes to the queen that the infection is bad, that men sicken one day and die the next but, in courtly phrase, that 'I doubt not that with good care and God's goodness which doth ever bles y^r Maj^{tie} it wyll quenche again.' But on the same day he tells the council more plainly, 'the most part of the fleet is greavouslie infected and die dailie . . . and the ships themselves be so infectious and so corrupted as it is thought to be a verie plague . . . manie of the ships have hardly men enough to waie their anchors.' ⁶² And as a commentary on the 'infectione' comes a complaint from him to Walsingham that, although the beer in the fleet has been condemned as unfit for use, it is still served out to the men; 'nothing doth displease the seamen more than sour beer.' And if the sailor were set ashore sick, 'such is the charity of the people that they shall sooner die than find pity unless they bring money with them.' ⁶³ No especial provision was made on board his ship for the sick or wounded sailor; if the ship went into action he was placed in the cable tier or laid upon the ballast as being the safest places; if he survived the medical science of the time and was landed disabled, he was supposed to be passed to his own parish. Sometimes he was permitted to beg. A printed licence from Howard, as lord admiral, under date 1590, still exists, empowering William Browne, maimed in 1588, to beg for a year in all churches. ⁶⁴ In 1593 Hawkins was ordered to pay two shillings a week for twenty weeks to 29 injured men; and Wm. Storey, having lost a leg, receives 1*l.* 13*s.* 4*d.*, apparently in settlement of all claims. ⁶⁵

We have seen that in 1558 there were 31 ships, efficient and non-efficient, in the Royal Navy. The next navy list is for 1562, and is especially interesting as being the only one which gives the dates of construction. ⁶⁶ It is appended in full:—

	Tons		Tons
1561. Great New Ship ⁶⁷	900	1558. 'Antelope'	300
1558. 'Elizabeth Jonas'	800	1558. 'Swallow'	200
1561. Lesser New Ship ⁶⁸	600	1552. 'Willoby'	160
1556. 'Mary Rose'	600	1558. 'New Bark'	160
1558. 'Hoope'	500	1558. 'Jennett'	200
1556. 'Philip and Mary'	600	1558. 'Greyhound'	160
Hen. VIII. 'Great Bark'	600	Hen. VIII. 'Bull'	160
1557. 'Lion'	500	Hen. VIII. 'Tiger'	160
1559. 'Christopher'	800	Built 1545	} 'Falcon' . 80
1545. 'Jhesus,' a hulk of		Repaired 1554	
Lubeck.	600	1558. 'Phoenix'	70
1558. 'Hart'	300	Hen. VIII. 'Bright Falcon'	60

⁶¹ *State Papers Dom. Eliz.* ccxiv. 66.

⁶² *Ibid.* ccxv. 41.

⁶³ Monson, *Naval Tracts*.

⁶⁴ *Lansd. MSS.* 144-53.

⁶⁵ *Ibid.* 73, f. 161.

⁶⁶ *Cecil MSS.*, Hatfield. Cal. Pt. I. No. 846.

⁶⁷ Afterwards called the *Triumph*.

⁶⁸ Probably the *Bonadventure*.

	Tons		Tons
Hen. VIII. 'Sonne' . . .	50	Old. 'Gerfalcon' . . .	100
1558. 'Sacar' . . .	60	1560. 'Speedwell' . . .	} galleys
1550. 'Hare' . . .	50	1560. 'Tryright' . . .	
1559. 'Bark of Bullen' . . .	50	Hen. VIII. 'Mermaid' . . .	
Old. 'Double Rose' . . .	30		

It will be noticed from these dates that one of the earliest cares of Elizabeth or her council, after her accession, was the strengthening of the navy; although some of the ships dated 1558 may have been really ordered during Mary's lifetime as they could scarcely all have been built and launched in the one year. The next list is that for 1574.⁶⁹ There have been many changes in the interval of twelve years, and, instead of 31, it gives only 25 vessels, but probably constituting a more effective fleet. No fewer than 16, including the three galleys, which were in the list of 1562, have no place in this. On the other hand there are new, the 'Victory' and the 'White Bear' each of 800 tons, the 'Dreadnought' of 400, the 'Swiftsure' of 360, besides six smaller ones. In 1577 the only two additions are the 'Revenge' of 500 and the 'Scout' of 160 tons. The lists of 1580 and 1583 do not call for remark, except that in the latter one appears the galley 'Ellynor.' In that for 1585 are the 'Nonpareil' of 500 tons and the galley 'Bonavolio.' The 'Aid,' which first appears in the list of 1574, and the 'Bonadventure,' are absent from this return of 1585, but again appear in that of 1587. As the 'Bonadventure' was certainly repaired in 1587, we see that the reports are not altogether reliable as to the number of vessels; it has been pointed out that they are absolutely unreliable as to tonnage.

In 1587 the 'Triumph,' 'Elizabeth,' 'White Bear,' 'Victory,' 'Mary Rose,' and 'Bonadventure' were thoroughly repaired, and eleven new vessels were added to the navy: viz. the 'Ark Royal' of 800 tons, the 'Vanguard' and the 'Rainbow' of 500 each, and eight others of much smaller size. In all there were now 34 fighting ships. In 1592 they numbered 38, three of the additional ones, the 'Merhonour,' 'Garland,' and 'Defiance,' being large ships of from 500 to 800 tons, and in March 1596 the 'Warspite' and the 'Due Repulse' were launched. The last return is that of 1602: there are in all 42 vessels, including six galleys, having from 96 to 244 rowers according to size, and each carrying 118 soldiers. The details in this list are so curious and, comparatively, so ample that it is given here nearly in full for the twenty largest ships.⁷⁰

⁶⁹ *State Papers Dom. Elis.* xcvi. p. 275.

⁷⁰ *Ibid.* cclxxxvi. 36. I have omitted the number of anchors and cables, and also the complement of each ship. Most of the vessels have seven anchors and as many cables; the crews are based on the proportional allowance to (gross) tonnage given on a

Name of ship	Length of keel	Beam in feet	Depth of hold	Burden	Ton and tonnage	Weight of masts and yards	Weight of rigging	Canvas in bolts of 26 yards	Weight of ordnance	Cost per month at sea
	feet	feet	feet	tons	tons	tons	cwt.		tons	£
'Elizabeth' . . .	100	38	18	684	855	22·8	17	85	61	758
'Triumph' . . .	100	40	19	760	955	24·17	18	95	68	758
'White Bear' . . .	110	37	18	732	915	24	17	88	65	758
'Merhonour' . . .	110	37	17	691	865	22·13	17	87	63	606
'Ark' . . .	100	37	15	555	692	18·4	15	84	50	606
'Victory' . . .	95	35	17	555	694	18·4	16	78	50	606
'St. Mathew' ⁷¹ . . .	—	—	—	—	—	—	—	—	—	—
'St. Andrew' ⁷¹ . . .	—	—	—	—	—	—	—	—	—	—
'Due Repulse' . . .	105	37	16	622	777	20·7	17	78	54	530
'Garland' . . .	95	33	17	532	666	17·7	14	66	47	455
'Warspite' . . .	90	36	16	518	648	17	14	62	46	455
'Mary Rose' . . .	85	33	17	476	596	15·12	13	62	43	379
'Hope' . . .	94	33	13	416	520	13·14	11	66	37	379
'Bonadventure' . . .	80	35	16	448	560	14·14	12	70	40	379
'Lion' . . .	100	32	14	448	560	14·14	12	70	40	379
'Nonpareil' . . .	85	28	15	357	446	11·7	9	56	32	379
'Defiance' . . .	92	32	15	441	552	14·9	12	60	41	379
'Vanguard' . . .	108	32	13	449	561	14·14	12	70	40	379
'Rainbow' . . .	100	32	12	384	480	12·11	10	67	35	379
'Dreadnought' . . .	80	30	15	360	450	11·16	9	52	32	303
'Swiftsure' . . .	74	30	15	333	416	9·18	9	47	29	303
'Antelope' . . .	87	28	14	341	426	11·3	9	50	30	242

The great Portuguese carrack, the 'Madre de Dios,' captured in 1592, and then regarded as the largest ship known, had a length of keel of 100 feet, an extreme breadth of 46 feet 10 inches, and an extreme length of 165 feet.⁷² The keel length of the 'Rainbow' being 100 feet, her extreme length would be about 145 feet, and she had only 32 feet of beam. Moreover, the carrack would be hampered by tiers of cabins built up on her poop and forecastle; a comparison of these proportions will help to explain the better weatherly and sailing qualities of the English ships.

Many references to galleys, widely separated in date, are to be found in the state papers, but I have only met with three distinct allusions to vessels worked by gangs of oarsmen of the type so long used in the Mediterranean. One, in the navy list for 1602, has just been quoted. In the list for 1585 occurs the name of the galley 'Bonavolio,' and in 1588 she appears to have served two months at a total cost of 1,028*l*.⁷³ The details are given of press and conduct money for 200 rowers at 2*s*. 6*d*. a man, and of 50 sailors at 6*s*. each man; wages at 14*s*. a month, and the charges for

preceding page. In practice the strength of a crew depended on the number of ships to be supplied and the success of the impress authorities.

⁷¹ No dimensions given. These two ships were taken at Cadiz in 1596, and were each of 1,000 or 1,100 tons. The *St. Andrew* was one of those which captured the *Revenge*.

⁷² Hakluyt, *Voyages*, xi. 354 (Edinburgh, ed. 1890).

⁷³ *State Papers Dom. Eliz.* ccix. 85.

sdoliers, rigging, provisions, etc., make up the balance. The next is an estimate of 1589, in the handwriting of Hawkins, for the same galley, but 150 'slaves' are now allowed for, and 'there may be for every bank a soldier with his piece if the service require it.' He adds, 'there is no dyett spoken of for the slaves for that we are not yett in the experyence.'⁷⁴ We do not now know whether Hawkins had his early merchandise of negroes in his mind, or whether 'slaves' was the Elizabethan way of describing criminals and vagrants.⁷⁵ The reference however to ignorance in the matter of diet seems rather to imply that negroes were in question. Doubtless the cost of free oarsmen had been found too great. By the preceding table it will be seen that a large cruiser like the 'Dreadnought' could be kept at sea throughout the year at a cost of 303*l.* a month, while the almost useless galley, only doubtfully available in summer, cost very much more. In truth the galley service was only possible among nations like those inhabiting the Mediterranean littoral, continually at war and using their prisoners as oarsmen, or, like Venice, buying them by the thousand from the Emperor. I think it most probable that, notwithstanding the soldiers nominally allotted to each galley, the six existing in 1602 were only used for purposes for which steam tugs are now employed; perhaps also in pageants, men from the queen's ships or ordinary watermen being put in them for the particular service.

For seventeen years Sir John Hawkins was treasurer of the navy, and he, more than any other man, may be said to have 'organised victory' for the English fleets; his appointment dates from January 1578, when he succeeded his father-in-law Benjamin Gonson, recently deceased, but for years previously he appears to have given assistance and advice in the management of the navy.⁷⁶ His duties included not only the superintendence of the administrative work at the dockyards, but that of building, equipping, and repairing the ships, of keeping them safely moored and in good order, and apparently of every executive detail except those connected with the ordnance, and with victualling and pressing the men. For it may be noted that very few men were kept in full pay; they were only obtained, by means of press warrants, when there was actual need of their services, and then only for the number of vessels it was intended to send to sea. In 1586 twenty-five ships were laid up at Chatham under the care of only 202 men.⁷⁷ Hawkins himself originated valuable practical improve-

⁷⁴ *State Papers Dom. Eliz.* ccxxix. 77.

⁷⁵ By 39 Eliz. c. 4. (1597-8) 'dangerous rogues' were to be sent to the galleys, but it is the only statute so directing and does not seem to have been acted upon (Turner, *Hist. of Vagrants*, p. 129). Nor do I know of any allusion to an English galley service in the literature of the time.

⁷⁶ *State Papers Dom. Eliz.* cxvii. 33.

⁷⁷ *Ibid.* cxcv. 56.

ments. He introduced the system of sheathing by double planks having a layer of tar and hair between, a method which remained in use for more than a century after his death. He contrived the means of striking topmasts, 'a wonderful ease to great ships,' and some of the finest Elizabethan men-of-war, the best sea boats and fastest sailers then afloat, were built from his plans. But he did not escape Elizabeth's peevish ingratitude. She tried to stint the naval as she did every other service unconnected with the personal display necessary to her. The soldiers of a garrison might be hungry and barelegged for want of pay, but she could spend upwards of 30,000*l.* (in modern values) in payments to the wardrobe and jewel house in the same year.⁷⁸ So, in 1588, she made Howard and Drake pay out of their own pockets for the wine and arrowroot supplied to the dying seamen at Plymouth, but her own bill for Gascony wine alone in the preceding year was some 12,000*l.*⁷⁹

Hawkins unburdened his mind to Cecil. On one occasion he writes, 'I perceive her majesty is not well satisfied concerning the employment of the great sums of money that have been received into the office of the navy, although Y^r Hon^r did . . . take pain and care to see the strict and orderly course that is used in the office and thereupon deliver your mind plainly to Her Maj^{ty} as y^r Lordship found it . . . only I see y^r Lordship with care and truth doth search into the true order, the sufficiency and validity of the course that is carried in the office which otherwise I would even plainly give over my place.' The queen is very welcome to be further satisfied in his accounts; if any worldly thing he possesses could save him from this mistrust he would gladly give it: 'as the case standeth I think that there is no man living that hath so careful, so miserable, so unfortunate and so dangerous a life.' The business of the navy office is so great, 'yet the mistrust is more troublesome and grievous than all the rest,' and 'there is hardly any time left to serve God or to satisfy man.'⁸⁰

Hawkins owed his knighthood to Howard rather than to the queen; his reward, after 1588, was to be allowed a year wherein to unravel his intricate accounts. In fact few of Elizabeth's officials escaped her left-handed graces. In 1586 Baeshe desires to be relieved of his victualling contract before he is quite ruined; he has served her father, brother, sister, and herself for forty years, but he cannot now go on at the contract prices.⁸¹ Elizabeth's favours and bounties were reserved for court gallants of smoother fibre than were these men. In 1594, shortly before his last

⁷⁸ At Berwick in 1568.

⁷⁹ *Lansd. MSS.* 51, f. 167.

⁸⁰ *State Papers Dom. Eliz.* (1590) cccxxi. 83.

⁸¹ *Ibid.* cxc. 28. Neither Baeshe nor Gonson has a place in the *Dictionary of National Biography*.

unhappy voyage, Hawkins founded a hospital near Rochester for ten aged mariners or shipwrights. He, with Drake, instituted the 'Chatham chest' for disabled seamen, and it must be remembered to his honour that, in an age when little care was taken of inferiors if they had ceased to be of any utility, he never relaxed his efforts until his craft had rescued from Spanish prisons the survivors of those under his command in 1568 whom he had been compelled to leave ashore after escaping from San Juan de Ulloa.

Charges of peculation against persons connected with maritime affairs were rife on all sides. Besides other matters Hawkins was accused of abuses in buying the canvas and stores for the navy;⁸² captains were said to dismiss pressed men if sufficiently bribed, to retain wages and to keep back arms.⁸³ Quarles, appointed victualler in 1587 in succession to Baeshe, was complained of as taking corn and cattle by forced purchase under his commission at half their market values, of entering more men than were actually supplied, and as charging for transports when the ships to be provisioned were lying in harbour.⁸⁴ The departmental officials were said to buy cheaply and sell dear to the queen, and the clerks and gunners to be in league to make false returns of the stores on board ship. The accusations are circumstantial enough: 'The master gunners who do usually indent for the provision of ships and fortified places do commonly return unreasonable waste of all things committed to their charge, which waste grows not by any of her Majesty's service but by the gunners themselves in selling her Majesty's powder and shot and other provisions, sometimes before they go to sea, and most usually upon their return from the sea.'⁸⁵ The patentee for iron shot was a prisoner for debt and forced to sublet his contract. Sometimes he bought shot sold by the gunners, 'so that her Majesty buyeth her own goods and payeth double for the same.'⁸⁶ These complaints are made in 1600; it is not likely that naval morality had improved during the long predatory warfare with Spain. Similarly the shipwrights are accused of overcharging. Peter Pett has built a ship at a cost of 6*l.* 7*s.* 4*d.* a ton, whereas he ought only to have had 5*l.* 0*s.* 9*d.* or, if paid at Mathew Baker's rate, 4*l.* 5*s.* 9*d.* Chapman has charged 5*l.* 19*s.* 5*d.* a ton, while it should only have been 5*l.* 4*s.* 5*d.* But Baker has built (probably the 'Merhonour') at 5*l.* 2*s.* a ton, whereas, if he had charged at Pett's rate, it would have been 7*l.* 4*s.*⁸⁷ Ships were built either in the

⁸² *State Papers Dom. Eliz.* ccxxvii. 6.

⁸³ *Ibid.* ccxxii. 48.

⁸⁴ *Ibid.* ccxxvi. 85.

⁸⁵ *Ibid.* cclxxv. 40, and cclvii. 108.

⁸⁶ *Ibid.* cclxxv. 40.

⁸⁷ *Ibid.* cclxxvi. 57. The court was proverbially corrupt, but compare Mr. Hubert Hall's *Society in the Elizabethan Age* for further illustrations of the lax morality characterising all grades of the Elizabethan social system. Professor Laughton in his

government yards, the queen providing all the material, or by contract, or 'composition,' as it was called, in which case the

somewhat unsympathetic notice of Hawkins (*Dictionary of National Biography*, vol. xxv.) dwells insistently on the charges of embezzlement brought against him, and endorses at least some of them with the weight of his authority. It was said that he neither built nor repaired the ships according to his contract, that he used old cables and rotten oakum, that he blackmailed shipwrights and workmen, and that he was in partnership with a private builder, in whose yard he built ships with government timber and fitted them out with government stores. If these things were true the whole naval administration must have been in a rotten state; but, as Professor Laughton himself points out, the more serious accusations are sufficiently disproved by the fact that when the fate of England depended on the condition of the fleet, it was found, in the hour of need, to be absolutely efficient in all the many details for which Hawkins was responsible. If, however, we are to suppose that he confined his malpractices to matters not likely to injure the *matériel* of the navy, it can only be remarked that fraudulent officials are not usually so considerably and judiciously patriotic. In considering what may or may not have been true, it is only fair to Hawkins to emphasise the fact that these anonymous indictments—and many of those urged against him were anonymous—were levelled against nearly every person holding an administrative position in the service of the crown: delation, whether religious, political, or social, was a recognised occupation requiring no capital, offering the possibility of large rewards, and welcome to the government and the queen. Moreover, Hawkins had helped to make a clean sweep of many naval abuses of long standing, and had certainly made enemies in Sir William Wynter and others, with whom at least one informer (*Lansd. MSS.* 52, f. 117 *et seq.*), who also had personal reasons for disliking Hawkins, appears to have been on very friendly terms. In another paper referred to by Professor Laughton (*State Papers Dom.* cciv. 18), and endorsed by Burghley as being by Thomas Ally (about whom I regret I am unable to obtain any information), the writer, after a long arraignment, kindly offers to undertake Hawkins's duties. It is an extremely important fact that most of these men obviously hoped to gain some personal advantages by displacing him. That he used his official position to obtain discounts, commissions on contracts, and other such emoluments, is quite possible; such acts are not unknown in more recent times, are distinct from deliberate embezzlement, and would hardly be condemned by public opinion in the sixteenth century. Does Professor Laughton make it an article of accusation against him that 'he had accumulated a considerable fortune'? The yearly fee of the treasurer was not large (220*l.* 18*s.* 4*d.*) and, as I understand his contract, it was both expected and permitted that he should make a profit of any outstanding balance provided the work was properly done, and there was nothing in the ethics of his position, as then understood, debarring him from shipping and other mercantile transactions. The best proof that both Elizabeth and Burghley were satisfied that his gains were not too great lies in the fact that, notwithstanding his supposed calculations, their knowledge of them, and the efforts made to remove him, he held his post to the day of his death. Professor Laughton says that he was 'for many years more or less directly in partnership' with 'Richard Chapman, a private shipbuilder at Deptford.' Chapman was one of the queen's master shipwrights, but may have had a private yard. I do not know what warrant Mr. Laughton has for his precise statement beyond the words of another anonymous writer (*State Papers Eliz. Dom.* cciv. 17) that he 'used Richard Chapman's yard.' The same person, among many other things, says that the ships are in such bad condition that they 'are brought to their last end and dangerous state.' This was in October 1587, and the events of the next year sufficiently disproved the assertion. Again, he goes on to say, 'the shipwrights are his instruments to serve his purpose and cloak for his dissembling,' and thereupon it is to be observed that some of these writers represent him as sharing dishonest gain with the shipwrights, while others pathetically deplore the shipwrights' hard fate in being subjected to his terrorism; some represent him as quarrelling with the men with whom others maintain that he was secretly in league for underhand purposes. We know, however, that Hawkins possessed vessels of his own, and the

builder supplied everything needful. The latter was the cheaper way so far as first cost went, but it was found that the ships did not last so well.

circumstance that he had them repaired in a private yard when he might have used the government slips is really a strong point in his favour, although used by his enemies as the basis of truth on which to build up the liberal superstructure of 'unjust and deceitful dealings.'

Professor Laughton proceeds: 'It is not correct to say that these charges were put aside as idle calumnies: they were not indeed formally inquired into, but Burghley quietly satisfied himself that they were not unfounded, and drew up a set of stringent regulations intended to prevent such abuses in future, noting on the rough draft in his own hand, "Remembrances of abuses past: John Hawkins was half in the bargain with Peter Pett and Mathew Baker."' I do not know what authority there may be for saying that even an informal inquiry was held, but it may be noted that if these regulations referred to Hawkins it would be his duty as the chief officer of the navy to enforce them and apply them to himself. Was Burghley usually so confiding? It has escaped Professor Laughton's notice that in January 1587-8, Pett and Baker were called upon to report on Hawkins's contract and how far it had been accomplished (*State Papers Dom.* ccviii. 18). Their report was unfavourable; space does not permit any criticism of it here, but its tenor may possibly be explained by their querulous complaint that, 'before (i.e. his appointment) the master shipwrights did direct and now they are directed.' They were both shipwrights. Pett was at variance with him, and Baker, described by Mr. Laughton, but incorrectly, as a storekeeper at Deptford, had been one of the Wynter faction in 1583. Had Burghley really believed that in 1587 Hawkins was in confederacy with these two men, it is hardly likely that they would immediately afterwards have been chosen to sit in judgment upon him, especially as Burghley must have known that Pett was a new, and Baker an old, enemy. Moreover there is a curious similarity between this note of Burghley's and a passage in the paper by Ally before quoted:—'Mathew Baker sayeth that when Peter Pett and he did take the repairing of Her Majesty's ships Hawkins would needs be half with them, but the rest of the officers did not know that Hawkins had any part with them.' The resemblance between Burghley and Ally suggests the possibility that the former paraphrased his note from the latter's without independent inquiry, but in any case it may be pointed out that it is an indirect report of what Baker said, that, according to this account, Baker permitted himself to be blackmailed, although he had for years been at enmity with Hawkins (*Lansd. MSS.* 52, f. 118), and that he concealed his woes from all his superiors until he confided in Mr. Ally. The two lines in Cecil's handwriting comprise in truth the only evidence of any weight against Hawkins, but they are mysterious as they stand, for they imply that he put himself in the power of avowed enemies, and we are left quite ignorant of the proofs—if there were any—on which they are based, or how far Burghley subsequently modified his opinion. That he did so modify it is, I think, proved by the letter quoted *sup.* p. 484 (cf. also *State Papers Eliz. Dom.* (1587) ccv. 71). Professor Laughton explains a 'supervision which he thought offensive' as exercised over his accounts by Elizabeth as due to the 'clear reasons' she had 'for doubting Hawkins's integrity.' But Professor Laughton here assumes the point at issue, and it has to be yet shown that his contemporaries, other than the subordinates whose perquisites he had extinguished and the rivals whom he had displaced, doubted his integrity. That Elizabeth haggled over his accounts proves nothing by itself, for it would be difficult to name any one of her officials whose figures were not subjected to the same suspicious and distrustful scrutiny. Sir Robert Mansel is quoted by Professor Laughton as saying that Hawkins combined 'malice with dissimulation, rudeness in behaviour, and was covetous in the last degree.' Without going into Mansel's merits as a witness—and he, on evidence of a very different order, was shown to have stolen hugely as treasurer (*State Papers Dom. James I.* xl. 87, xli. *passim*, and cxii. 101)—it may be noticed that although moved by evident animus he makes no accusation of dishonesty. Further, Sir Robert Cotton, in his report (1608) on the then abuses of the naval administration, has, in referring to previous conditions, occasion to frequently

The expenses of the navy during the last twenty years of Elizabeth's rule were relatively enormous and would have excused her parsimony had she not been so lavish to herself. During the earlier years of the reign the ordinary allowance was supposed to be 5,714*l.* a year, and a detailed statement for one of these years, but with the date destroyed by fire, occurs among the Cotton MSS.⁸⁸

	£	s.	d.
Wages of clerks at Chatham, Deptford, Woolwich, and Portsmouth, keepers of storehouses, porters	340	0	0
Rent of marsh ground, labourers' wages	175	0	0
Repairs of houses, cranes at all the yards	160	0	0
Repairing docks, flood-gates	100	0	0
Repairs of hatches, furnaces, cook-rooms, labour	50	0	0
Repairs at Upnor, lighterage, maintenance of great chain across river	100	0	0
Mooring of ships	200	0	0
Ship-building and repairing, shipwrights, ship-keepers	4,452	0	0
	5,577	0	0

Special estimates of the cost were drawn up when a fleet was to be sent to sea, but between 1568 and 1579 the amount allowed for

mention Hawkins, and invariably takes the period of his control as one during which the business of the navy was well and honestly done. Monson's opinion is partly quoted by Mr. Laughton, but the few words given do not fairly express the strength of Monson's testimony. He was an undoubtedly competent and trustworthy observer, and one of unstained repute; he desires, when criticising the navy office of the reign of Charles I, to 'bring it to the state of Hawkins's and Burroughs's time, who were perfect and honest men in their places, the one treasurer and the other comptroller' (Naval Tracts: *Churchill's Voyages*, iii. 371, ed. 1704). It is a significant fact that all the men who depose against Hawkins—Peter Pett, Baker, Wynter, Mansel, Sir Peter Buck, the writers in the *State Papers* and the *Lansdowne MS.*—are persons of tarnished honesty or interested motives, and at least four of them his personal enemies; while on the other side we have Cotton, Monson, Nottingham, and, as I hold, Burghley subsequently to 1588, witnesses of very different force. In the absence of a verdict proceeding from a judicial inquiry their evidence must be allowed more weight than that made up of the stabs of anonymous slanderers, jealous rivals, and envious subordinates.

Hawkins was doubtless a rough masterful man, readier with the iron hand than with the velvet glove, more popular with the seamen whose ranks he had left than with the officials whose ranks he had joined. He was not a great man, but his services to England were great and entitle him in any case to kindly consideration at the hands of all Englishmen. But before branding his memory with the stain of systematic fraud it is well to examine closely the doubtful shreds and tatters of scandal on the strength of which he is to be condemned or—worse still—offered the easy charity of 'condonation.'

Professor Laughton states that Hawkins succeeded Gonson as Treasurer in or before 1573. But Gonson did not die till November 1577, although for a year previously his representatives had carried on the financial portion of his duties. Hawkins was formally appointed from 1 Jan. 1577–8 (*Inquis. P.M.*; *State Papers Dom.* cxxvii. 33; and *Audit Office Declared Accounts*, s. v. Navy. Cf. *State Papers Dom.* ccii. 35).

⁸⁸ *Otho*, E. ix. f. 104.

the ordinary charges of the character specified in the foregoing account was 8,214*l.* a year.⁸⁹ But war or preparation for war, together with the building and equipping of a large number of new ships, had greatly increased the expenditure; for 1580 it was 15,000*l.* and then for the following four years it again averaged 8,000*l.* a year. In 1585 it was 12,000*l.*, in 1586 25,600*l.*, and in 1587 46,291*l.*⁹⁰ These payments were made to Hawkins, those made for provisions being distinct. The accounts for 1588 are both contradictory and complicated, and it is not likely that they will now be obtained with any exactness. The manuscript collection just quoted gives the payments made to Hawkins that year as 88,000*l.*, and as from the state papers I find that between January and September he had 80,000*l.*, the total is perhaps roughly correct.⁹¹ The amounts paid to Quarles for victualling reach 60,000*l.*⁹² Another document printed by Murdin⁹³ makes the naval expenses from the beginning of November 1587 to the end of September 1588, exclusive of victualling and the charges borne by London and other ports, reach the much larger sum of 112,000*l.* Powder and shot were used to the value of 10,000*l.* while 20,000*l.* was required to make good the damage done to the fleet. Another estimate puts the expenses of the year at 92,370*l.*⁹⁴ It gives the cost by fleets: the Lord Admiral's, 31,980*l.*; Seymour's, 12,180*l.*; coasters and volunteers, 15,970*l.*; Frobisher's, 840*l.*; Drake's, 21,890*l.*; Chatham extraordinary charges, 3,640*l.*; other extraordinary charges, 3,570*l.*; ordinary allowed, 2,300*l.* Finally we have the items stated in a different form:⁹⁵ wages 52,557*l.*, conduct and discharge money 2,272*l.*, tonnage (hire of) 6,225*l.*, other expenses 15,003*l.*, extraordinary allowances and rewards 854*l.* The remuneration to 'hurt men and them that fired the ships' was 180*l.*, and the compensation paid for the eight vessels converted into fireships and sent among the Spaniards during the anxious night of the 28-29th July was 5,111*l.* 10*s.*, perhaps the cheapest national investment that this country has ever made.⁹⁶ Two of them were of 200 tons each, in all they measured 1,230 tons.

There were in pay, during the struggle in the channel, 34 queen's ships and 163 merchantmen, but all through the year merchantmen had been taken up or discharged, and men-of-war put in and out of commission, as the need seemed more or less urgent. There were 8 admirals, 3 vice-admirals, 126 captains, 136 masters, 26 lieutenants, 24 corporals, 2 ensign bearers, 2 secretaries, 13 preachers, and 11,618 soldiers, sailors; and gunners.⁹⁷

⁸⁹ *State Papers Dom. Eliz.* ccii. 35.

⁹¹ *State Papers Dom. Eliz.* ccxvi. 41.

⁹³ *Burghley Papers*, p. 620 et seq.

⁹⁵ *Cott. MSS. Otho, E.* ix. f. 192.

⁹⁷ *Cott. MSS. Otho, E.* ix. f. 192.

⁹⁰ *Cott. MSS. Otho, E.* ix. ff. 129, 130.

⁹² *Ibid.* ccxvii. 20, and ccxxvi. 81.

⁹⁴ *State Papers Dom. Eliz.* ccxxiv. 72, 75.

⁹⁶ *State Papers Dom. Eliz.* ccxvii. 71.

Other authorities mention a larger number of men.

The following table, compiled from various papers, gives the scale of pay at sea in 1588 and generally throughout the reign for all ranks, but for subordinate officers it varied according to the rate of the ship⁹⁸:—

	£ s. d.			Per day £ s. d.			£ s. d.			Per month £ s. d.		
Lord Admiral				3	6	8						
Vice Admiral				2	0	0						
Rear Admiral				15	0							
Captain . .				2	6							
				Per month								
Lieutenant .				3	0	0						
Preachers . .	2	0	0	to 3	0	0						
Secretaries .				2	0	0						
Corporals . .				1	7	6						
Masters . . .	1	0	0	to 3	2	6						
Master's Mate	17	6	„	1	10	0						
Pilot	1	0	0	„	1	10	0					
Boatswain .	13	9	„	1	10	0						
Quartermaster	17	6	„	1	5	0						
Master Car-												
penter . .	17	6	to 1	5	0							
Master Gunner	13	4	„	15	0							
Purser . . .	13	4	„	1	0	0						
Surgeon . .				1	0	0						
Cook	13	9	„	17	6							
Drummer . .				15	0							
Yeoman of sheets				17	6							
Yeoman of powder				11	3							
Steward . .				17	6							
Trumpeter .				1	0	0						
Piper . . .				15	0							
Armourer . .				18	8							
Sailor . . .				10	0							
Gromet . .				7	6							

The rates differed at various times according to the demand for men, but a comparison of the early and closing years of the reign will show a steady increase in the scale of wages. A captain was also allowed two servants for every fifty men of the crew, and if he was a knight two men more in each case; this really meant that he was licensed to draw pay and rations, or the value in money of rations, for the permitted number of servants whether or no they were actually on board.

Experience had enabled the officials to calculate with fair accuracy the probable cost of sending a squadron to sea. In October 1580—Drake had returned in September and Mendoza was vapouring—such an estimate was made out for 23 men-of-war to be manned by 4,030 seamen and gunners and 1690 soldiers. The press and conduct money of the seamen amounts to 1,410*l.* 10*s.*, that of the soldiers and their coat money to 676*l.*; sea stores of ships 800*l.*; and wages of soldiers and sailors for one month 2,669*l.* 6*s.* 8*d.* The discharge money for both soldiers and sailors is 1,462*l.*, and provisions for one month 4,004*l.* In all, the charges make a total of 11,449*l.* for the first month. As there would be no press, conduct, coat, and discharge money, or other extra items, to be reckoned in the following months, the cost, after the first, would be 6,773*l.* a month. For another 6,000*l.* twenty-two armed merchantmen can be joined with the men-of-war.⁹⁹

After the Armada year the naval expenses still remained very

⁹⁸ *Cott. MSS. Otho, E. ix. ff. 110, 191; and State Papers Dom. Eliz. ccxvi. 18, and cclxxxvi. 36.*

⁹⁹ *State Papers Dom. Eliz. cxliii. 20.*

great. For the succeeding six years they were, in round numbers :—

1589, £54,000	1591, £38,000	1593, £26,000
1590, £59,000	1592, £30,000	1594, £49,000. ¹⁰⁰

The cost of Frobisher's expedition in 1589 was nearly 10,000*l.*, that of Hawkins in 1590 upwards of 13,000*l.*¹⁰¹ The outlay attendant upon Essex's fleet in 1596 was 78,000*l.*,¹⁰² and that of the Drake-Hawkins venture in 1595 was 70,000*l.*, of which Drake subscribed upwards of 12,000*l.* and Hawkins 18,000*l.*¹⁰³ Plunder was of course the chief object of these enterprises, in which persons of all classes took shares, but, with the exception of the earl of Cumberland's magnificent capture of the 'Madre de Dios,' neither the crown nor private adventurers can be said to have obtained much pecuniary profit from them. When Hawkins went to sea for the last time in 1595, it was agreed that the queen was to furnish and put in order six men-of-war for which she was to have one-third of the booty. Hawkins was to provision the fleet and have another third, and the men the remainder; presumably a private arrangement was made with Drake, or the conditions were altered before sailing.¹⁰⁴ The voyage was a disastrous failure financially and cost the lives of Drake and Hawkins, but the lower ranks did not fare so badly; it was said that 1,000*l.* was embezzled by the sale of powder alone, and some of the men, being drunk, 'showed a great store of gold' on their return.¹⁰⁵

In the case of the 'Madre de Dios' there was only one queen's ship among the ten present at her capture, and that one was beaten off; but her majesty in the exercise of her prerogative, as claiming the free services of her subjects, demanded the lion's share of the proceeds. If the men were not paid wages, the usual arrangement for the division of plunder appears to have been that if ships were cruising, and 'thirds' were agreed upon, the spoil was to be divided into three parts, viz. tonnage (*i.e.* owners) one part, the victuallers a second part, and the men the remaining third. But if ships joined in 'consortship' their spoil was to be divided ton for ton and man for man, then each vessel's share was to be joined and divided into thirds as before.¹⁰⁶ By the second mode it appears that ships belonging to the squadron but absent from a particular capture would still share the pillage. The captain was entitled to ten shares, the master and lieutenant to seven or eight, and most of the remaining officers to four or five each; if the cruiser was a privateer the Lord High Admiral took a tenth from each of the thirds.

¹⁰⁰ *Cott. MSS. Otho, E. ix. ff. 131, 132.*

¹⁰¹ *State Papers Dom. Eliz. cxxxiv. 42, 51.*

¹⁰² *Ibid. cclvi. 107.*

¹⁰³ *Ibid. cclix. 61.*

¹⁰⁴ *Ibid. cclii. 107.*

¹⁰⁵ *Ibid. cclvii. 108.*

¹⁰⁶ *Lansd. MSS. 73, f. 38.*

For the twelve years, 1587-98, Nottingham's tenths amounted to upwards of 18,000*l*.¹⁰⁷ The following computation, taken from the Lansdowne MS. quoted above, shows the proportions due on this system of division, assuming the value of the carrack's cargo to have been 140,000*l*.

		£	s.	d.	£	s.	d.
'Foresight', ¹⁰⁸ (Queen's ship)	tonnage, 450 . . .	8,092	9	8½	23,103	10	4½
	men, 170 . . .	7,505	10	4			
	victualling as for men	7,505	10	4			
'Roebuck' (Raleigh)	tonnage, 350 . . .	6,294	3	1½	20,422	3	10½
	men, 160 . . .	7,064	0	4½			
	victualling . . .	7,064	0	4½			
'Daintie' (Rich. Hawkins)	tonnage, 300 . . .	5,894	19	9½	14,225	0	2½
	men, 100 . . .	4,415	0	2½			
	victualling . . .	4,415	0	2½			
Earl of Cumber- land's ships	tonnage, 1,235 . . .	22,209	7	6½	66,359	9	9½
	men, 500 . . .	22,075	1	1½			
	victualling . . .	22,075	1	1½			
Two ships of London	tonnage, 260 . . .	4,675	13	2	15,889	15	9
	men, 127 . . .	5,607	1	3½			
	victualling . . .	5,607	1	3½			

Here there was a total of 2,595 tons. One third of 140,000*l*. is 46,666*l*. 13*s*. 4*d*., and this divided by 2,595 gives a unit of 17*l*. 19*s*. 6*d*. a ton. For the 'Foresight' 450 times 17*l*. 19*s*. 6*d*. yields, roughly, the 8,092*l*. 9*s*. 8½*d*. to which her tonnage entitles her, and the same calculation gives the shares of the other ships and of the men, in the latter case substituting 1,057 for 2,595. In the end, after much bickering, Elizabeth took nearly 80,000*l*. of the plunder.

Among the many documents relating to naval affairs which have been examined for the purpose of this paper, I have found only one which refers to the contemporary method of calculating tonnage. It occurs among others concerning the navy for the year 1582 and is presumably drawn up by an official.¹⁰⁹ The writer says: 'By the proportion of breadth, depth, and length of any ship to judge what burden she may be of in merchant's goods and how much of dead weight of ton and tonnage. The "Ascension" of London being in breadth 24 feet, depth 12 feet from that breadth to the hold, and by the keel 54 feet in length, doth carry in burden of merchant's goods (in pipes of oil or Bordeaux wine) 160 tons, but to accompther in dead weight, or her ton and tonnage, may be added one-third part of the same burden which maketh her tonnage 213½. After the same rate these proportions follow:—

¹⁰⁷ *Harl. MSS.* 598.

¹⁰⁸ Note that this ship has been reckoned as of 260, 300, and 350 tons in various preceding lists.

¹⁰⁹ *State Papers Dom. Eliz.* clii. 19. From a passage in another paper on tonnage, *temp.* Charles I, I infer that Mathew Baker, the shipwright several times mentioned in this article, devised the method here described.

—	Breadth at midship beam	Depth from her breadth	Keel	Burden in cask oil or wine	Dead weight tonnage
	feet	feet	feet	tons	
A ship of	20	10	42	86 $\frac{1}{2}$	115
A ship of	21	10 $\frac{1}{2}$	45	102 $\frac{3}{10}$	136 $\frac{1}{2}$
'Prudence' of London	24	12	51 $\frac{1}{2}$	150 $\frac{1}{2}$	202 $\frac{3}{8}$
'Golden Lion'	32	12 or 14	102	403 or 461	537 or 614 $\frac{3}{8}$
'Elizabeth Jonas' ¹¹⁰	40	18	100	740	986 $\frac{3}{8}$

'To find the burden of any ship proportionally to the "Ascension" before specified, multiply the breadth of her by her depth and the product by her length at the keel, the amounting sum you shall use for your divisor. If 15,552, the solid cubical number for the "Ascension," do give 160 tons, her just burthen, what shall 8,400, the solid number of a ship 20 feet broad, 10 feet deep, and 42 feet keel. Work and you shall find $86\frac{3}{4}$ tons of burden, while if you add one-third you shall find your tonnage 114 almost.'¹¹¹ From these scanty data the specialist may be able to calculate the exact measurement in modern tonnage of an Elizabethan vessel.

We have no detailed account of the cost of shipbuilding. The nearest approach to one occurs for a ship apparently built in 1561, perhaps the 'Triumph.'¹¹² The whole amount is 3,788*l.*, of which the timber cost 1,200*l.*, spars and ironwork 700*l.*, and wages 1,888*l.*; this does not appear to include sails, fittings, etc. The 'Triumph' carried 42 heavy guns,¹¹³ viz. 4 cannon, 9 demi-cannon, 14 culverins, 7 demi-culverins, 6 sakers, and 2 minions. The cost of ordnance varied: during the earlier years of the reign it was 10*l.*, but afterwards 5*l.* a ton for iron, and sometimes 5*l.* 6*s.* 8*d.* for brass guns. But many different prices are met with, and there were certainly many qualities. However, its reputation was such that the Spaniards were prepared to give 22*l.* a ton for it and to pay a pension to the man who would be instrumental in obtaining it for them.¹¹⁴ The exportation of ordnance was strictly prohibited, and the founders had to enter into bonds not to export without licence; but it was considered that, previous to 1592, out of 2,000 tons yearly made, 1,600 were secretly sent abroad.¹¹⁵ Besides iron, stone shot were still used for artillery, probably for economy, as they only cost sixpence each.

The 'Triumph' we see was the largest ship in the navy, but she, like the others, was only a two-decker, and it is said that the first three-decker under the English flag was the 'St. Philip' brought home by Drake in 1587. The 'Triumph' was supposed to be manned by 450 seamen, 50 gunners, and 200 soldiers; she was

¹¹⁰ In the list of 1602 the 'Elizabeth' is given 38 feet of beam. It is the same ship.

¹¹¹ *I.e.* $20 \times 10 \times 42 = 8400$. $15552 : 160 :: 8400 = 86\frac{3}{4}$

¹¹² *Cecil MSS.* Cal. No. 846.

¹¹³ *State Papers Dom. Elis.* clxxxv. 33, 34.

¹¹⁴ *Ibid.* cexliv. 116.

¹¹⁵ *Ibid.* cexvii. 31; and *State Papers Dom. Add.* xxxiv. 43.

furnished with 258 harquebuses, 200 pikes, 200 bills, 200 corslets, 200 morions, 50 bows and 100 sheaves of arrows; there were 750 lb. of corn powder, and 4,470 lb. of serpentine powder on board.¹¹⁶ When she was built, guns of various calibres were mixed indiscriminately on the upper and lower decks; but from a schedule, dated October 1595, of iron ordnance to be provided for the 'lesser ship now building' (probably the 'Warspite'), we can note the distribution of the guns and the tendency to limit the varieties in use.¹¹⁷

For the sides on the lower overloppe . . .	12 culverins
For the stern and prow on the lower overloppe	4 do
For the capstan deck on the sides . . .	8 demi culverins
For the stern and prow on the sides . . .	4 do
For the waist fore and aft . . .	6 sakers
For the half deck . . .	2 do

Ships 'royal,' such as the 'Triumph' and 'Elizabeth,' always, and second rates usually, had four masts, viz. fore, main, mizen, and bonaventure mizen, besides a small sprit-sail mast on the bowsprit. The fore and main masts had each two yards, the two mizen masts one yard apiece.

The heaviest anchor made was of 30 cwt., but they were usually much smaller, and a large vessel sometimes had from ten to fifteen of them of various weights; a man-of-war consequently had to carry a corresponding number of cables, which occupied an excessive proportion of space. Cables were supposed to have half an inch of circumference for every foot of the ship's beam; a ship 32 feet in breadth had therefore her largest cable sixteen inches in circumference, besides from six to twelve others of smaller size. In 1589 cables were ordered for a new ship, probably the 'Merhonour,'—two of 18 inches circumference weighing five tons, four of 17 inches weighing 9 tons, two of 16 inches weighing 4 tons, and one of 12 inches weighing one and a quarter ton.¹¹⁸ The price of anchors was about 30s. the cwt., that of cables, usually imported by the Muscovy company, varied according to the size.

It speaks sufficiently for the courage of the Elizabethan sailor that during the whole of the reign but two English men-of-war were captured by the Spaniards, and then only after desperate fighting against overwhelming odds.¹¹⁹ It speaks equally well for his seamanship afloat, and the skill and good workmanship of shipwrights ashore, that not one was lost by stress of weather, by fire, or by running aground. During those same years, and sometimes during the same gales which the English ships weathered successfully, whole Spanish fleets foundered at sea.

M. OPPENHEIM.

¹¹⁶ *State Papers Dom. Eliz.* cxv. 1.

¹¹⁷ *Ibid.* cliv. 43.

¹¹⁸ *Ibid.* ccxxvii. 7.

¹¹⁹ The 'Jesus of Lubeck,' and the 'Revenge.'

Count Lally

THE destruction of the French power in India was judicially attributed to the treason of Count Lally.¹ After the passions of the moment had subsided, the sentence was reversed, and the calumny has not been revived. But on other grounds the murdered man has been held greatly accountable for the catastrophe which he strove so stoutly to avert. That, as a fact, he did contribute to bring it about is undeniable; but how far his conduct was morally culpable is by no means so simple a question as it might appear to be; for though his want of judgment and temper was conspicuous and baneful, it is generally much easier to pronounce how he acted wrongly, than how he could, under all the circumstances of the case, have acted rightly; while his angry tone and bitter speeches were partly the result of extreme provocation, partly a desperate expedient for flogging into activity the lagging energies of those who, by their apathy, remissness, and factious obstruction, were, as he thought, reducing him to inaction, and fatally compromising the cause of which he was the ardent champion.

Few men have been so misplaced, so sorely tried by experiences least adapted to their character, their lifelong training and associations, their fixed modes of thought, and hence so certain to make serious and irreparable mistakes. And though it is notorious that Lally's difficulties were very great, and were aggravated by his own conduct, it is impossible to estimate him fairly without taking into account much that is not so well known—the purport of his instructions and their liability to lead him into trouble, the details of his personal relations with Bussy, Lavaur, and others, and the insidious conspiracy against his authority and in favour of his rival, which he constantly suspected, and which was at length brought to light; though it is still impossible to prove, by direct evidence, the extent of the combination against him, and the complicity of Bussy himself.

¹ He is described by his son as 'Sir Thomas Lally de Tolendal, connu depuis sous le nom du comte de Lally' (*Mémoire produit au Conseil d'Etat du Roi*, 1779, p. 28).

We hope, in the course of a short sketch of his career, to throw some light on these and other matters, which go far to explain much of Lally's seeming perversity.

M. Tibulle Hamont, to whose monograph on Dupleix we were indebted on a former occasion,² has since given a full and conscientious account of Lally, in a work based on the voluminous materials already in print, and on unpublished matter disinterred from state archives and public libraries.³ So far from being inclined to exalt his subject into a hero, he regards him as the incarnation of an evil principle—direct antagonism to the policy of Dupleix—and consequently as the efficient instrument of blind counsels which deliberately rejected the great prize aimed at by that remarkable man, and still coveted by M. Hamont—French rule in India. And this, in the writer's eyes, unpardonable offence colours his whole estimate of Lally, and precludes all sympathy with him. M. Hamont is also fully alive to his moral defects and their injurious consequences. But he has bestowed much pains on unravelling what we have called the secret history of the Indian enterprise, and has illustrated it with apt and copious quotations from the instructions of the government, the correspondence between the general and his rival, Lally's private letters to friends, his despatches, and other authentic sources of information. He has also minutely criticised and thoroughly discredited the scandalous chronicle compiled by Lavour (the discovery of which, after the author's death, was the immediate occasion of Lally's impeachment) and fully exposed the shameless iniquity of the trial. And strong as is his personal bias against the unfortunate general as a politician, his honest and careful delineation of the under-current of affairs, confirmed by the *ipsissima verba* of the prominent personages, enables the reader to form an independent judgment of Lally's conduct and of that of his domestic adversaries. We shall endeavour, as far as our limits permit, to state the case fairly, though not always confidently, nor always in accordance with M. Hamont's conclusions.

Lally-Tollendal was born at Romans, in Dauphiné, in 1702. His mother belonged to a noble French family. His father, Sir Gerard Lally, was an Irish Jacobite, who after William's triumph became colonel of the Irish regiment in the French service, raised by his relative, General Dillon. An enthusiastic legitimist, he confidently anticipated the re-establishment of the exiled line. But meanwhile he served faithfully the *Grand Monarque*, who had befriended his unhappy sovereign, and provided a military career for the gallant victims of James's perversity. He inspired his son with his own sentiments; and thus the boy's surroundings were

² HISTORICAL REVIEW, No. IV., October 1886.

³ *Lally-Tollendal. D'après des documents inédits.* Par Tibulle Hamont. Paris: E. Plon, Nourrit et Cie. 1887.

peculiar; his allegiance was divided, his political position provisional; and his later disinclination to see facts as they were may have been partly due to his inveterate habit of underrating or ignoring the practical obstacles to the fulfilment of his hopes of a Stuart restoration. He was well educated: languages, ancient and modern, history, and science, alternately engaged his attention; and he was devoted from his childhood to the career of arms. A captain's commission in his father's regiment was conferred on him when he was only eight years old; and he was initiated into the mystery of war by spending his holidays with his father in camp, and mounting guard in the trenches before Barcelona. In his eighteenth year the regent offered to make him a colonel, but this honour his father declined. At the sieges of Kehl and Philipsbourg he distinguished himself, and on one occasion rescued his father by a spirited charge.

The conclusion of peace left Lally free to indulge his Jacobite zeal. He visited England, explored the scene with a view to an invasion, cultivated personal relations with the disaffected, and returned with increased ardour in the cause, and a keen desire to promote a rising, aided by an European coalition. In this frame of mind he conceived a scheme characteristically bold in so young a man, even in that age of political adventurers. He thought that an alliance between France and Russia would best serve his purpose, as it would almost certainly involve renewed war with England. This indeed the pacific Fleury was little likely to desire, even had the inducements to such an alliance been stronger than any that Lally could at once suggest. But he might offer his services as a political pioneer, and if encouraged might find on the spot materials for strengthening his case. His deepest motive, of course, he could not avow. And, eager as he was, his pretensions to undertake such a mission were slight. But he was not wanting in self-assurance, and friends at court, hostile to England, brought their influence in his favour to bear on the cardinal, who saw in him a convenient agent for ascertaining informally the secret disposition of the Muscovite court. But for the hope of benefiting the cause of which he was the votary, Lally had little reason to plume himself upon the precarious footing which he had gained on the threshold of the diplomatic establishment. He travelled at his own expense; he had no credentials, not even a passport, and no definite instructions. Thus on landing at Riga he was arrested as a suspicious character; and two months elapsed before he was released, and provided with a passport, through the good offices of the Pretender's agent. Parrying the curiosity, and declining the obliging attentions of the chancellor, Count Ostermann, whose German leanings were not suited to his taste, he yet contrived to be introduced by him to Biron, duke of Courland, first favourite of the czarina. The duke

spoke warmly of the cardinal ; and Lally intimated that he would willingly make these favourable sentiments known in the proper quarter, and then prudently took his leave.

Before long Lally was summoned to a private audience, under the impression that he was charged with a secret commission. Though constrained to disclaim this in form, and to profess himself simply an inquisitive traveller, he again expressed his satisfaction at the duke's friendly disposition towards the cardinal, and at Biron's instance he then and there penned a letter to Fleury with the good tidings. Further conferences followed, in which the favourite showed an increasing desire to establish a confidential relation with Fleury, which might serve, by a shorter and easier course than that of the ordinary diplomatic channels, to accommodate the differences between the courts, and strengthen his own situation. Lally was gratified to find that he had not counted without his host, but embarrassed by his want of an official character, and consequent inability to improve the occasion as he might otherwise have done. In vain he lingered for months ; his letter remained unanswered. The cardinal did not care to commit himself through such a medium, or perhaps preferred to await a more definite communication. Lally felt that he was losing ground, and that his equivocal position was not free from danger. He therefore urged the importance of his immediate return to France, where by personal intercourse with the minister he might accomplish more than he could hope to do by letters. Biron dismissed him with a strong assurance of his desire for a Franco-Russian alliance. Though Lally had not altogether failed, he was mortified at the implicit disavowal of his capacity for regular business, and on his return remonstrated freely with Fleury, who rallied him on his impatience, and asked for a written report of his mission, and of the impressions which he had derived from it. This was promptly tendered, and remains a remarkable monument of his quickness of observation, and adroitness in marshalling and interpreting facts in the direction of his foregone conclusion. This exposition of the internal state and resources of the Russian empire, of the advantages which France might anticipate from an alliance with it, and of Biron's personal interest in promoting such an alliance, seems to have produced some effect on the cardinal. But the course he recommended was too decided to be lightly adopted by so cautious a statesman. Lally tried hard to commit him by soliciting a renewed and more formal mission. But before anything had been arranged the aged minister died, and the scheme fell to the ground.

Reverting to the career of arms, he proved more successful, gained the reputation of a good officer and the honours of his profession. In 1742 his conduct in Flanders caused Marshal de Noailles to select him as chief of the staff. His services at the sieges of Menin, Ypres, and Furnes were recognised by the

raising of a new Irish regiment, which he commanded, and which bore his name. This he rapidly brought into an excellent state of discipline. But his proudest achievements were at Fontenoy, for the defeat of the English was much due to him. Before the battle he averted a great danger by discovering a path which the enemy might have used for turning the French army. If he did not, as his son affirms, suggest the timely use of the guns which, as Carlyle says, slit up like a ribbon the terrible English column, he certainly led the dashing charge of the Irish troops, which completed its overthrow. His rallying cry on this occasion was a Jacobite one. *Songez que ce n'est pas seulement contre les ennemis de la France, que c'est contre vos propres ennemis que vous allez combattre.* He touched the right chord, and for once triumphed over Hanover. He was wounded. The Dauphin on the battle field announced the king's appreciation of his conduct. Louis made him a brigadier; and his bravery was the general theme. This was the more gratifying because his ancestral sovereign was now in the crisis of his fortune, and with his recent honours thick upon him he could more hopefully advocate French support of Charles Edward's romantic enterprise.

Lally now proposed that 10,000 soldiers should co-operate in the invasion, and this was nominally approved. They were to be commanded by Richelieu, with Lally as his quartermaster-general. Voltaire, who was engaged in the preparations, extols Lally's zeal, boldness, and (singularly enough) his *mœurs douces*, adding, however, *que ses malheurs altérèrent par la suite.* Anticipating the departure of the French armament, he joined the young Pretender with a small part of his regiment, only to find that the march on London had been abandoned at Derby. His announcement of Richelieu's speedy coming was no counterpoise to the depressing passiveness of the English Jacobites; and though he deplored the retreat, he was too good a professional soldier not to detect the incompetence of the clans for regular warfare. This conviction was shared by the marquis d'Eguilles, the French envoy with Charles Edward, between whom and Lally a cordial understanding was soon established; and in a joint memorial they pleaded earnestly for the prompt despatch of the promised force. But the French government, though ready enough to make a threatening demonstration, was not hearty in the cause of the Pretender; the English fleet was on the alert; and the weather was unfavourable. Thus Charles Edward and his gallant Highlanders were left to fight their own battle.

Lally was indeed present at Falkirk; but he soon after repaired to Ireland, and thence to Spain, still in the vain hope of obtaining assistance, and then ventured secretly to visit London. He was detected, escorted to Portsmouth, and ordered to leave the

kingdom. But he returned to the capital, and this becoming known, a price was put upon his head. He fled, disguised as a sailor, and reaching the coast in this costume was pressed by smugglers, and had the piquant sensation of hearing them discuss the chances of gaining the promised reward for his discovery. But he persuaded them that it would be a better speculation to avail themselves of his local knowledge to traffic on the French coast. They were chased and captured by a French cruiser, and carried to Boulogne, where the governor released Lally, who proceeded to Versailles, to try the effect of a personal appeal on behalf of the sinking cause. The answer was so far encouraging that he joined the assembled armament. But it never sailed; and soon the tidings of Culloden filled him with despair. *Songeons*, he wrote, *à battre les Anglais de ce côté-ci de l'eau, puisqu'on ne peut les battre chez eux*. The Pretender received his devoted follower in the warmest manner, and wished to decorate him with an Irish peerage. But he declined the hollow emblem of failure, though not the thankless office of petitioning the king to befriend another descent. This being refused, he rejoined the army; led another brilliant charge at Lawfeld, and was indefatigable at the siege of Bergen-op-Zoom, where he was again wounded, and narrowly escaped destruction from the explosion of a mine. In a rash reconnaissance he was taken prisoner. He afterwards took part in the siege of Maastricht, where he was severely wounded, and received high commendation from Marshal Saxe, who made him *maréchal de camp*. On the conclusion of peace he again visited London in the Jacobite interest. The duke of Cumberland soon forced him to depart, but not before he had had a secret interview with the prince of Wales, who thought him odd—a compliment which Lally probably returned. Whatever Voltaire may have found him on the eve of the '45, its ruinous result, and the temporising conduct of the French government, which had deluded and profoundly disgusted him, and lost the fairest opportunity of gratifying his passionate yearning for a Stuart restoration, seem to have greatly soured his temper, and developed his worse qualities, to the most serious injury of his Indian enterprise.

Dupleix's policy had found little favour in France. It was, in itself, too speculative, too artificial, and too liable to the suspicion of personal motives, to inspire confidence; and in practice it had not fulfilled its early promise. The acquisition in the Circars was a substantial gain; but it was accompanied by the onerous obligation of supporting the Nizam on his precarious throne. That a French commercial agent should affect the airs of a Mogul sub-viceroy seemed preposterous and intolerable. And while the company saw in the attempt to establish French ascendancy an alarming prospect of endless war on the coast, wild

enterprises in the interior, suspended trade, and embarrassed finances, the government dreaded that the local contest might swell into the proportions of an international war. Hence the recall of Dupleix, and Godeheu's pacific mission. But it soon appeared that simply to put back the political clock was impossible. Fighting ceased for the moment, but the elements of hostility remained, partly as the ground-swell raised by the late tempest of war, partly from the state of things produced by the pacification. It was easier to announce that both parties were bound thenceforth to subside into quiet traders, than to dispose them to do so, or to remove mutual suspicions that more ambitious designs were no longer cherished. The necessity of self-defence had been too well proved; and jealous rivals, with an armed force at command, would be strongly tempted to employ it on slight provocation against each other, or as before in the service of native rulers, whose assistance they might require in their own extremity. Godeheu's declared aim was to establish an equality between the possessions of the two European companies. The French retained the assignments in the Circars; the English their *jughire* around Madras. But as the Circar grant had been made for the support of Bussy's contingent, this was still left in the Dekkan. That such an arrangement was not strictly consistent with the professed renunciation of Dupleix's policy, the English could not fail to observe; nor could they forget that the subahdar claimed to be over-lord of the Carnatic, and that the French still occupied the stronghold of Gingee, in the heart of the province. On the other hand, the French could as little forget that Mahomet Ali was the creature of the English; and they soon learned that Bussy's position had been much shaken by Dupleix's recall, and had been maintained—or rather regained—only by a remarkable combination of military vigour and diplomatic address; that the subahdar himself was threatened not only by his inveterate enemies, the Mahrattas, but by the ambitious intrigues of his brother, Nizam Ali, who favoured, and was encouraged by, the English. And in defiance of the self-denying ordinance negotiated by Godeheu, Bussy's arms were soon after employed, on the subahdar's behalf, against Mysore, and those of the English in reducing to obedience Mahomet Ali's nominal subjects in the hitherto almost independent country, south of the Cavery. Thus, apart from more remote dangers of disturbance, the European settlers still watched each other with jealous eyes; and their continued connexion with native states, which were by no means friendly to each other, and were exposed to internal revolutions, boded ill for the preservation of peace, and the prosperity of commerce.

Hence the outbreak of the Seven Years' War in Europe probably only anticipated, in a more legitimate and direct form, an impend-

ing recurrence of the old quarrel between the English and the French in the Carnatic. The directors of the French company conceived new hopes from the resolution of the government to employ a strong force on the Coromandel coast. With little help from home Dupleix had kept the contest undecided to the end: what might not a good general, at the head of a regular army, aided by a fleet, achieve, especially if the English were taken by surprise, and assailed before they could be adequately reinforced? A short and vigorous campaign might decide their fate. Their few troops might be overpowered, their settlements captured, their trade ruined; and even if their complete expulsion should not outlast the war, the victors might, in the interval, secure advantages which would give them a permanent ascendancy over their commercial rivals. For the conduct of such an enterprise the directors thought Lally peculiarly fit. His energy, boldness, firmness of purpose, his established military reputation, his intense hatred of Hanoverian rule, his profound contempt for the civilian Dupleix's warlike fever, for Bussy's vaunted triumphs over Asiatics, and for the idea that the transparent artifices of a merchant could place the Mogul empire at his disposal, all recommended him to their patronage. They accordingly preferred an urgent request that he should be appointed to command the expedition. But the minister Argenson knew him too well to comply with their wish, until he had warned them of its probable consequences in terms so distinct that they ought not to have been disregarded, and so prophetic that they demand insertion here.

Vous vous méprenez. Je sais mieux que vous ce que vaut M. de Lally; mais il faut nous le laisser en Europe. C'est du feu que son activité. Il ne transige pas sur la discipline, a en horreur tout ce qui ne marche pas droit, se dépite contre tout ce qui ne va pas vite, ne tait rien de ce qu'il sent et l'exprime en termes qui ne s'oublient pas. Tout cela est excellent parmi nous; mais dans vos comptoirs d'Asie, que vous en semble? A la première négligence qui compromettrait les armes du Roi, à la première apparence d'insubordination ou de friponnerie, M. de Lally tonnera, s'il ne sévit pas. On fera manquer ses opérations pour se venger de lui. Pondicherry aura la guerre civile dans ses murs avec la guerre extérieure à ses portes; croyez-moi, les plans de Lally sont excellents; mais il faut charger un autre que lui de l'exécution.⁴

A memorial on the Indian question which Lally at this time submitted to the government ought also to have excited misgivings. For, airily assuming the triumph of the French over the English, it proposed to follow this up by a territorial readjustment quite incompatible with the circumstances of the case, and had it been feasible at the moment, fraught with later danger. But as it was part of his plan that the company should thenceforth maintain an

⁴ Hamont, pp. 65, 66.

attitude of complete political neutrality, his ignorant and rash suggestions made him the more acceptable to those who understood little better than he did the actual condition of the Peninsula.

The instructions of the government expressly enjoined that the company should be disentangled from native alliances:—*Il est essentiel que la Compagnie s'en retire aussitôt qu'elle le pourra, sans se compromettre, avec la ferme résolution de n'y avoir à l'avenir aucune part, et de ne s'occuper que de son commerce.*⁵ But, on the other hand, it is important to notice that this course was not ordered to be taken at once, nor until the stress of the English war should be over. *Tant que l'on sera à la coste de Coromandel dans une sorte d'équilibre avec les Anglais, et qu'on aura la guerre avec eux, celle des deux nations qui voudrait se retirer d'avec les Maures courrait le risque de voir les puissances du pays se réunir à son ennemy contre elle, et par cette raison, il ne convient pas encore de se concentrer dans les établissements que l'on veut conserver.*⁶ Nay further, participation in native warfare is explicitly sanctioned, so far as such action may contribute to the conquest of the English. *On ne peut trop recommander à M. de Lally de ne prendre aucune part dans les guerres des différentes puissances qu'autant qu'il se procurera par là des facilités pour attaquer Goudelour et Madras, et expulser les Anglais de la côte de Coromandel.*⁷ In the same vein it is suggested that Bussy, or one of his lieutenants, might march from the Circars into the Northern Carnatic, and thus effect a diversion in aid of the operations of the main army. Lally was to use his own discretion as to the withdrawal of Bussy and his contingent from the Dekkan, and to beware of turning Salabat from an ally into an enemy. And when the alliance was renounced, the territorial revenues were to be retained as long as possible. This was a hint that Lally might manage to keep possession of the Circars, without rendering the military service the performance of which was the condition of the tenure. Such hints he was not likely to disregard, especially when they coincided with his own ideas. Thus, a suspicion was intimated that Dupleix's scheme had been promoted by the military class for personal objects; that the subahdar was little better than a beggar; and that both he and Bussy and his officers had been liberally maintained at the company's cost. The truth was to be ascertained from an impartial person, well acquainted with the Dekkan. But as it was not easy to obtain such evidence, and as Lally inclined to the same view, he was tempted to use his discretion in summarily cancelling Bussy's appointment, for the evil consequences of which rash act his employers were thus partly accountable.

The same ensnaring ambiguity is discernible in his prescribed relations to the government of Pondicherry. His powers were not

⁵ Hamont, p. 67.

⁶ *Ibid.*

⁷ *Ibid.* 70.

only ample but inquisitorial. Yet he was ordered to defer to those whom he was authorised to control and correct. He was appointed lieutenant-general and inspector-general, and all classes, from the highest to the lowest, were to obey him *comme ils feraient à la propre personne du roi*. At his own request, he was invested with the right of concluding treaties. But his orders were—*de concerter avec les directeurs, gouverneurs et commandants particuliers des établissements de la Compagnie, les projets qu'il formerait sur les opérations de la guerre, par rapport aux influences que ces opérations pourraient avoir sur le commerce de la Compagnie, et aux effets qui pourraient en résulter vis-à-vis des puissances du pays*. M. Hamont remarks:—*Cette clause était dangereuse; c'était créer dans le gouvernement de l'Inde un dualisme, source fatale de conflits et de discordes*.⁸ Though Lally's want of local experience ought to have warned him to distrust his first impressions, to seek information, and adapt his proceedings to ascertained facts, it was certainly perilous to authorise such a comprehensive interference with the exercise of his military judgment. And the danger was much increased by his being also enjoined to guard against the latent sympathy of the governor, Leyrit, with Dupleix's policy, and to institute an inquiry into the administration, reform abuses, and repress corruption. *M. de Lally aura beaucoup de peine à déraciner l'esprit de cupidité qui règne à Pondicherry, et ce serait un des plus grands services qu'il pourra rendre à la Compagnie*.⁹

Another serious danger was involved in the independence of the admiral. He was to co-operate in the attack on the enemy's maritime settlements. But as there was no secure harbourage on the Coromandel coast, and the violence of the monsoon was dangerous to shipping, the fleet was accustomed to repair to the remote French islands during the tempestuous season. And the admiral could not be controlled in his choice of times for departing and returning. A bold and zealous officer might not hesitate to risk much for the attainment of a great object. But too exclusive a care for the security of his squadron might banish the admiral at the critical moment, and ruin the general's combinations.

The campaign was to begin with the siege of Fort St. David, but not until the French force was superior at sea, as well as on land, an inconvenient restriction. Madras was to be next reduced. In both cases the fortifications were to be destroyed, and Labourdonnais' precedent of holding a conquered place to ransom was not to be followed. The general was cautioned against wearing out his army by expeditions into the interior. But it might be necessary to take Arcot and Trichinopoly; if so, Arcot was to be attacked first.

The army was to comprise six infantry battalions, belonging to

⁸ Hamont, p. 65.

⁹ *Ibid.* 69.

Lally's own regiment, and those of Bussy and Lorraine, with a complement of artillery and engineers; the fleet six men of war, and some of the company's ships; the military chest was to contain 6,000,000 livres. The admiral and the chief engineer had been recommended by Lally, and he was accompanied by a brilliant staff. The departure was fixed for February, 1757. But, from the first, an adverse fate seemed to beset the expedition. Aché, a brave but unenterprising seaman, and Dure, an incompetent engineer, were substituted for the men of Lally's choice; and a royal order cut down the proportions of the armament by one-third. Thereupon the general and the admiral prayed to be excused—but in vain; and Lally was reassured by the promise of timely reinforcements. Soupire was despatched in advance with 1,000 men. But official obstacles and stress of weather retarded the final departure of the main body until May; and so much time was wasted on the voyage that it lasted a year. When on 28 April 1758, Lally, fretting at the long delay, caught sight of Cuddalore, Soupire had been several months in India, but had accomplished little; and the English fleet had just arrived. Thus the advantage of a surprise had been lost.

Fort St. David was strong, well-armed, and had a numerous garrison, commanded by Polier, a good officer. To carry it by a *coup de main* seemed out of the question, and Aché raised plausible objections against an immediate investment. But at last he consented to anchor, and Lally proceeded the same day to Pondicherry, in quest of Soupire's detachment and the company's troops. An ominous accident did not improve his temper; he was carelessly saluted by a battery loaded with ball, and his ship was struck. Treating the council with scant ceremony, he demanded information on the strength of the enemy and a supply of money, but could obtain neither. He knew, however, that the English fleet was at hand; and hoping to anticipate its movement, he mustered the available force, 700 Europeans, several thousand sepoys, a small body of cavalry, and eight guns; and marching the same evening, they reached Cuddalore, adjacent to Fort St. David, on the following morning. The want of guides and provisions, the desertion of native porters who had been pressed into the service, the heat and other discomforts of the forced march, gave a foretaste of the severe trials which awaited the army. Preparations were being made for an immediate assault on Cuddalore, and the troops were about to disembark, when the English fleet appeared.¹⁰

Lally's spirit rose with the danger. He scorned to abandon, or even to suspend, the attack; and while Aché engaged the fleet, he maintained his position between the town and the fortress, and

¹⁰ This is M. Hamont's statement. According to other accounts, the fleets fought a running battle further to the south.

constructed his batteries. The sea-fight raged for a time near the coast, and then its thunders died away in the distance. The event was uncertain; and an English victory would render the position of the small French force very critical. Still Lally persisted, and three days after his arrival Cuddalore surrendered, without a blow having been struck in its defence by the garrison of Fort St. David, which had been hastily collected, and was so indifferent in quality that Polier had no confidence in it. Five days later Lally learned that the French fleet had arrived off Pondicherry; his troops soon joined him, but the ships had suffered too severely to obey his summons; his guns were few compared to those of the fort; and his urgent application for ammunition, tools, fascines and gabions produced no effect. The commissariat was in a desperate state, and the detection of several practices injurious to the service, and the backwardness of the government to punish the offenders, inclined the general to suspect that it was less unable than unwilling to assist him. In no placable mood he repaired to Pondicherry, resolved to carry matters with a high hand. In vain he insisted that it was his business to fight, and that of the council to provide him with the means of doing so.¹¹ *J'ai commencé le siège de St. David. Je veux prendre la forteresse, je la prendrai; mais, pour cela, il me faut des canons et des munitions. Votre devoir est de me les fournir. L'œuvre de préparation vous regarde. A chacun son rôle.*

Lally was told that the necessary means could only be obtained with the aid of native alliances, which he reprobated. He thereupon announced his intention of providing transport by a forced requisition; and he seized cattle, carts and boats, regardless of the protest of the government, and of the general outcry. But he did more. Natives of all classes and castes were compelled to do coolie service; and so great was the consternation that the people fled in terror, and the impressed porters and carters abandoned their charges on the way, and were replaced by a fresh batch of equally reluctant recruits. By such means the besiegers were supplied with sufficient *matériel* to prosecute their operations. Three outworks were stormed, a fourth was evacuated, and Dure was ordered to open the trenches. But he began so far off, and with such intervening obstacles, that Lally was obliged himself to choose a more suitable point of departure. The work went on, but the army suffered much from the heat, the drifting sand, and scant nutriment; many died, or became delirious, from sunstroke. The second parallel had been completed, and the batteries erected, when tidings came that, as the sailors had mutinied for want of pay, the fleet was immovable. A strangely worded and strangely spelt letter from Aché confirmed this intelligence, and bemoaned his helplessness.

¹¹ His instructions sanctioned this view.

Lally hastened to Pondicherry, taking with him 400 men to reinforce the admiral's authority ; and with much difficulty, and by advancing 60,000 livres of his own money, induced his colleague to sail. The siege was pressed ; and unrelieved by land or sea, his water-supply failing, his garrison drunken and unmanageable, and his defences crumbling under the fire of the besiegers, Polier surrendered ; and Lally utterly demolished the place, and re-entered Pondicherry in triumph.

Thus he had accomplished the first part of his enterprise, and in spite of serious obstacles had rapidly reduced a fortress which had baffled Dupleix's repeated efforts. The enemy had not ventured either to meet him in the field, or to bear the brunt of an assault. Another resolute effort ought to make him master of Madras, which had been easily taken by Labourdonnais with a force contemptible compared to the French army now to be brought against it. Arcot and Trichinopoly, unaided by the English fleet, must then fall ; and already possessing Gingee in the interior, and Karikal on the southern coast, he might complete at leisure the conquest of the Carnatic. But the siege of Fort St. George was a far more serious undertaking than that of Fort St. David. Its defences had been much improved since Labourdonnais' time. And it was held by troops of a very different description from those whose indiscipline had made Fort St. David untenable. Moreover, the greater the effort and persistence required, the less would they suit Aché's temper. Above all, experience had already proved how little Pondicherry was to be relied upon as an adequate base of operations. Lally, however, was not the man to hesitate an instant on account of the strength of the place ; and he had already overcome the admiral's reluctance to co-operate with him, as it was his duty to do. He had also by his forced requisition taught the governor and his council a lesson, which he hoped would have a salutary effect. He was slow to believe that Pondicherry was incapable of supplying his wants ; he attributed to sinister motives the repeated suggestion that he should seek the aid of a native alliance ; and he did not despair of quickening the zeal of the officials, and shaming or coercing them into the fulfilment of their obligations. Hence, as if to compel obedience by cutting off all hope of foreign help, he abruptly recalled Bussy and his troops from the Dekkan, and ordered them to join his army at once, though the Circars were to be still occupied by a French force. The results of this rash order were most disastrous. It indisposed the subahdar to assist the French with the material resources which they so sorely needed ; it deprived them of his moral sanction, and reduced them to the invidious position of a foreign army of occupation in the territories of the Mogul ; as a retrograde step it impaired their prestige, which had been sus-

tained by their daring attitude in the heart of the Dekkan, it left the Circars exposed to Forde's bold diversion against the incapable Conflans ; it compelled Salabat to protect himself by an English alliance ; it was deprecated by Bussy as a political blunder of the first magnitude, and resented as a grievous private wrong ; and by bringing together, in the delicate relations of superior and subordinate, two men equally haughty and self-confident, who could neither agree, nor agree to differ amicably, it fostered mutual antipathy, and multiplied occasions of discord, which ended in a quarrel fatal to Bussy's usefulness, Lally's authority, and the efficient conduct of the war.

Events soon refuted Lally's calculations. The admiral, despondent as usual, refused to take part in the siege of Madras, and proceeded on a cruise against the company's merchantmen off Ceylon. And Leyrit announced that only enough money remained to feed the army for a fortnight. The treasure brought out in the fleet had been expended, and little had been found at Cuddalore and Fort St. David. But Lavaur, the principal of the Jesuits, who had been one of Dupleix's diplomatic agents, and became Lally's evil genius, suggested to him an expedient, which he was the more inclined to adopt, because it had already been recommended in a memoir which he had read on his voyage. When Chunda Sahib had accompanied Mirzapha to Tanjore, he had obtained from the rajah a bond for more than half a million of our money. This unpaid obligation was in the possession of the French government, and Lally might insist on its discharge. There were obvious objections to such a course, especially from Lally's point of view. But the temptation was strong, and the rajah was weak ; and his money might forward the main enterprise by supplying funds for the immediate reduction of Trichinopoly.

In the original project, a small and well-appointed force, led by an officer familiar with the scene, was to make a forced march from Karikal, and surprise the rajah. But Lally's ulterior object led him to proceed with his whole army through a difficult country, cut up by many branches of the Cavery. He expected to make war support war ; but the terrified inhabitants fled, or concealed their stores ; and though violence was freely used, it was ineffectual. To raise money, the plunder of a town was farmed out to a German officer ; temples were ransacked for idols, which proved to be *gilded*, not golden ; Brahmin priests were blown from guns in the sight of their horrified devotees ; but little food was procured. The heat, the parching dust, hunger, and the fatal tendency to drink to excess when a stream presented itself, told severely on the troops, and many men sickened and died. Though the march was too tedious to leave any chance of surprise, it had been begun too hastily to ensure the collection of supplies at

Karikal. And the cruelties perpetrated by the invaders, and above all the outrages upon the Hindoo religion, had nerved the rajah and his people to resistance. They faced the French in the open; were rapidly routed, rallied in the suburbs, were again defeated, and driven into the city. The rajah maintained that a bond given to Chunda Sahib was not a debt to the French, but he agreed to a compromise. As on the former occasion however, the wily Mahratta was in no haste to settle the account, especially as he had applied to Trichinopoly for help, and was in daily hope of receiving it. He was at last provoked by Lally's insolent threats to break off the treaty, and it became necessary to invest the city.

As serious resistance had not been anticipated, no siege train had been brought, and the French were fain to return from their field-pieces balls discharged from the enemy's batteries. The army was starving, and harassed by the necessity of exploring the country far and wide for provisions. A report that the English fleet had taken Karikal placed the general in a painful dilemma. To acquiesce in the loss of his advanced base would be disgraceful, if not critical. To renounce his original enterprise, and confess himself foiled by a petty native prince, was still less palatable. In a council of war the majority voted for an offensive retreat on Karikal, whence, after its recovery, they might return, and resume the siege of Tanjore. Preparations were made accordingly. The enemy, emboldened by the signs of departure, sallied during the night, and planted themselves in ambush around the French quarters. At daybreak a party pushed past the half-awakened sentinels, and made a dash at Lally's tent. He was slightly wounded, but defended himself with a bamboo cane until help arrived, and his assailants were cut down. The ambushed army then emerged, and a battle followed, in which the French gained an easy victory, and were soon on their way to Karikal. There it was found that the English fleet had not taken the town; but the siege of Tanjore was not resumed. The return march was attended by sufferings similar to those experienced on the advance; and the gravity of the general situation was aggravated by this abortive expedition. The military chest was reduced to 1,200 livres. Yet the general was still bent on undertaking at once the siege of Madras. But again Aché positively refused to risk the safety of his fleet during the approaching monsoon. And though the English vessels were still on the coast, and the council protested against his departure, he sailed the day after the return of the army.

The attempt to lay the rajah under contribution had only postponed a crisis at Pondicherry. Lally now bethought him of using his authority to reform the administration. He had already detected several gross jobs. Strict inquiry, exemplary punishment,

and better management, might develop resources hitherto negligently withheld, or corruptly diverted. Leyrit did not encourage the attempt. He asserted that the settlement was totally unable to maintain the army without the promised assistance from France, which had not been received. And he assured Lally that, if he persisted, he would make many enemies. The latter statement at least was quite true. Administrative reform was not a popular project in a community composed almost entirely of lax officials and their cunning native dependents. It is difficult to estimate what amount of improvement might have been effected by calm, patient, and detailed investigation, judicious suggestions, and temperate firmness in enforcing their adoption. But such was not Lally's method of proceeding; and his want of self-control only made matters worse. His imperious tone to the governor and his council, his hasty assumptions and reckless insinuations, his cutting gibes against individuals, his sweeping denunciation of the city as a sink of iniquity, failed to reach the source of the evil, and incensed all classes against him. He became more hateful than the English themselves; nor was his Irish origin forgotten. His late failure encouraged those whom he stigmatised to retaliate, and disparage him even as a soldier. Witty and sarcastic as he was, he had no monopoly of these qualities in a society of Frenchmen; and a bitter lampoon exposed and exaggerated his weaknesses, charged him with vices foreign to his nature, and held him up to general ridicule.

The return of Bussy added fuel to the flame of these civil animosities. Irritated at the peremptory and humiliating change of his destination, and at Lally's slight estimate of his opinions, he was less disposed to be a peacemaker, than to sympathise with the malcontents, and encourage the government in withstanding the general's demands, and resenting his imputations. On the other hand, his popularity in the city was offensive to the general; and the coincidence of his views with those of the government made Lally more distrustful of both, and inclined him to suspect them of a secret combination against himself. He was marching against Arcot when Bussy joined him. Their first interview destroyed all hope of a good understanding between them. Bussy, who was accustomed to be treated with much deference, was irritated at Lally's cold and supercilious manner: Lally listened impatiently to Bussy's arguments in favour of the Dekkan connexion, and was disgusted at his enlarging on his own exploits, and influence in the upper country. And when he abruptly concluded: *Renvoyez-moi à Salabet-Suigue. Je vous ferai compter 150,000 roupies et un diamant de 100,000 francs*, Lally thought that the cloven foot was obvious, and was highly indignant at this audacious attempt to bribe him. Dissembling his anger, he declined the offer, with the

ambiguous retort : *J'ai un projet sur Madras : aidez-moi de votre crédit et de votre bourse, et je ferai après tout ce que vous me demanderez, sans qu'il vous en coûte un sol.* He says of himself that *il fit la coquette vertueuse.* Perhaps he was partly mocking, partly seriously hoping that Bussy, on such terms, would be tempted to remove his great difficulty. If so, he was disappointed. Bussy, finding that he must remain in the Carnatic, tried to secure the consolation of a prominent post there, as well as a specific promise that he should return to the Dekkan later. He produced a letter from France, stating that the king intended to make him a brigadier, and requested that he might be promoted at once, adding :—*Renvoyez-moi enfin dans le Dékan après la prise de Madras, et je vous ferai donner cent mille écus de rente par Salabetsuigne.* Lally drily objected that he ought not to anticipate the royal order, and closed the interview. In a private letter soon after, he described Bussy as *le plus cupide, le plus avare, le plus menteur, le plus pillard de tous les hommes.* The inference was hasty, and the language strong; but Bussy had certainly gone far to confirm Lally's prejudices against him; and his next move did not tend to soften them. He was an adept at intrigue, and had already been employing influence in France to obtain the post of second in command. With the help of the letter already mentioned, he now induced the officers, who were much impressed by his grand air and great name, to petition that he might be allowed to do duty as first brigadier. They could hardly have made a more unwelcome request. The reply was a sullen compromise—*que Bussy, jusqu'à l'avis officiel de la nomination, ferait le service de brigadier, mais à son rang et comme le dernier.*

Besides the political importance of Arcot, its possession and that of the country around would facilitate the siege of Fort St. George. It was therefore promptly reduced, together with Timeree, Carangoly, Trivatore and Trinomallee. Lally was so far impressed by Leyrit's and Bussy's arguments, that he was inclined to set up a nawab. Bussy recommended Basalut Jung, a brother of Salabat; but Lally preferred rajah Sahib, the son of Dupleix' candidate, as likely to be more dependent on himself. The appointment was postponed, and an attack was projected on Chingleput, which intercepted the communication between Pondicherry and Madras. But it was prevented by a mutiny for arrears, and later by the fear of its retarding the great undertaking.

The prospect of success was far from hopeful. The French army was superior to the English; but the latter had been reinforced, and was expecting further accessions. The monsoon kept both fleets off the coast; but the English admiral was more likely to return betimes. The English were well provided, the French much the reverse. The newly conquered territory barely maintained

the troops stationed there. When Lally insisted on the establishment of supplies of grain and cattle at Pondicherry and at each of the more important posts, he was met by the inevitable—*non possumus* ! The governor wrote : *Vous savez que, depuis deux ans, nous sommes aux expédients pour nous soutenir—nos ressources sont aujourd'hui épuisées.* The arrears of pay due to the army exceeded 60,000*l.* The fleet had reduced the Isle of France to destitution. And from France itself no help, nor even tidings, had arrived. The great question was accordingly debated in a mixed assembly of civilians and military men. Leyrit and one of his counsellors urged the obvious objections. But Count d'Estaing, one of Lally's best officers, warmly supported his chief, who advanced 140,000 livres of his own money, his officers 30,000, and the die was cast.

The fortifications of Fort St. George, or the White Town, were of respectable strength ; the garrison was numerous and resolute, and commanded by Lawrence ; Call, the chief engineer, was equal to his duties ; the governor, Pigot, and his council were zealous, united, and on good terms with the military ; artillery, ammunition, and provisions were plentiful ; and a detachment, with Chingleput as its base, was destined to act on the rear of the besiegers. The fortress was covered by the river on the west and south. To the north-west was the Black Town, or native quarter, which was almost open, and was occupied by the French on the day of their arrival. They found it almost deserted, but full of property. Lally's regiment and the marines, under Crillon, took post on the north, near the sea, whence the approaches were to be made ; the regiment of Lorraine and the company's Europeans were stationed in the Black Town. The unwonted plenty was too strong for discipline ; disorder and drunkenness were so prevalent that they attracted the notice of Lawrence, who during the night ordered a strong sortie. This was at first successful ; but Lally in person rallied the troops in the Black Town, and after an obstinate contest the English were repulsed, with the loss of their guns and many of their best men ; and though reinforced they regained the fort in much confusion. But for Bussy their retreat would probably have been cut off. Crillon was leading Lally's regiment to block the outlet of a street down which they were retiring, when Bussy joined him and insisted that, as the enemy had guns, he should wait for guns also. He declined, and ordered the troops to advance. Bussy gave a counter-order, *which was obeyed*, though he afterwards represented it as a '*conseil.*' After vainly urging on his men, Crillon indignantly rushed forward, followed by a few, too late to do more than fire on the rear of the fugitives, who had meanwhile cleared the street. Bussy's officiousness caused Lally to suspect foul play. The charge was passionately urged, and coldly parried by an explanation which at least implies that Bussy had taken too much upon him. He

professed to be a 'volunteer' without authority; yet he halted the troops at the critical moment, in defiance of Crillon's positive and repeated orders. Partly perhaps to obviate his irregular activity, Lally gave him the command of the regiment of Lorraine, *vice* Estaign who had been taken prisoner.

In spite of the misconduct which had occasioned the sortie, of Crillon's *coup manqué*, and the capture of Estaign, the general result was reassuring to the French, and created a favourable impression in the country. The rajah of Tanjore seemed inclined to change sides: Dupleix would have courted and won him; but Lally made no sign, and persisted in ploughing the sand. He importuned Leyrit to forward projectiles and powder *par vingt, par cent, par mille livres, par terre, par eau, sur des chameaux, des bœufs, des chevaux, par des coolies, en un mot, par toutes les voies imaginables*. But ammunition came in scantily and irregularly, and the troops lived by pillage. The military chest was almost empty. Lally borrowed on his own security 25,000 livres from an Armenian, and received 12,000 from a native as a gift. A frigate arrived bringing a million livres, nineteen recruits, and a letter from the minister, recommending the strictest economy. This was all the help from France that ever reached him. Its insignificance was the more painful in the light of the letter of advice, which read like cruel irony. But the French government were not directly accountable for this mockery of support. They had despatched four vessels with nearly 1,000 soldiers, and three millions of livres. But Aché had laid an embargo on the whole at the Isle of France; and even the single million now sent had only been extorted from him by the strong remonstrances and threats of the government of the island, and of Count Montmorency, who was on his way homeward to report the capture of Fort St. David.

Though thus abandoned and crippled by his selfish colleague, Lally showed no signs of flinching. But Dure's incompetence delayed, and the deficiency of ammunition at times stopped the operations; and the defence was energetic and well-conducted. Famine prevailed in the camp, much increased by the activity of the enemy's field detachment. The sickness and mortality were serious; the soldiers were depressed by their sufferings, and desertion became frequent. Still Lally's spirit was unsubdued, and his progress, though slow and painful, was considerable. The fortifications were much damaged; a large part of the town was in ashes; and a breach was at last made. Bussy had been slightly wounded, and on this pretext had kept aloof from the general. Lally sought his quarters, probably with some hope of persuading him to advance money, or use his credit, for the relief of the army. Instead, Bussy offered advice: to suspend the siege would not be to abandon it; a strong position might be taken on St. Thomas's Mount,

which would command the approaches to the fort, and restrict its supplies; the condition of the French army would be improved by the change; and as it was still superior to the English, a detachment might be sent to levy tribute and other contributions from the Poligars to the north of Arcot. The enemy had suffered too much to venture on another sortie, and might be starved into surrender. The advice was plausible, but was it given in perfectly good faith? To break up the siege at so advanced a stage would be a confession of weakness, and the material sacrifice would be great and irreparable. The English in the open would not be idle, and might endanger the detachment in the north. Chingleput would still bar the way to Pondicherry; commissariat would still be precarious; and the hostile fleet might arrive at any moment. Hence Bussy's suggestion appears to us as unsatisfactory as his *conseil* on the night of the sortie; and Lally was not prepared to adopt it. The opinion of his officers was against an attempt to storm the breach, for though practicable, it was so much commanded by the enemy's unsilenced batteries as to be pronounced inaccessible. But Lally devised a plan by which he hoped to avoid this difficulty. Under cover of a report that the enemy meditated a sortie in unusual force, he massed his troops along the trenches; and during the night secretly directed a body of volunteers to turn a battery, near the breach, on the sea front, and covering the approach to the sea gate, on the east of the fort. This battery mastered, the volunteers were to push on against the gate and force it, while the troops in the trenches briskly followed up the attack. But the attempt to turn the battery failed; and a heavy fire from the works above drove back the assailants. It only remained to try the bolder course of a regular assault of the breach in the daytime. Orme asserts that the adverse judgment of the officers compelled Lally to acquiesce in raising the siege, before the approach of the English fleet was known. M. Hamont, on the contrary, says:—*Les troupes allaient se mettre en mouvement pour une tentative suprême. Déjà elles prenaient les armes*—when the fleet was descried, and a hasty retreat became inevitable. Though the escalade would probably have miscarried, perhaps with such loss to the assailants as would have hastened the ultimate catastrophe, not the less mortifying was the reflection, that the salvation of Madras was due as much to the French, as to the English, admiral.

Lally's fortune was staked upon this desperate venture. Had Fort St. George fallen, he would have silenced his detractors, and overawed his opponents at Pondicherry, justified his attitude of political isolation, supplied his immediate wants, and multiplied his permanent resources. The capture of the English army, the bulk of which was assembled in the place, would have enabled him rapidly to complete the conquest of the Carnatic, and to recover the

Circars. He could then have maintained a proud neutrality, for the time, in Indian politics; or he might, as he did later, have cultivated Hyder's friendship, as a security against the revival of the English power. Pitt's resignation, and Bute's peace-at-all-price line would have secured his triumph. Whereas, after such a reverse, with exhausted means, a despondent and dwindling army, a factious combination against him at Pondicherry, and little prospect of assistance from any quarter, he would find it hard to make head against the English, who, elated by his repulse and by Forde's success, and sustained by native alliances, now prepared to take the offensive. His conduct of the siege had not belied his reputation; and he had done all that could be achieved under the circumstances. The army could not be insensible to his ability, zeal, and care for its interests, and the French regiments were much attached to him. But the civilians were in no mood to do him justice. His obstinacy in attempting the impossible, his arbitrary ways, and the severe strain that he had put on the settlement, filled them with wrath. And contempt now began to mingle with their anger. He neither understood his business, nor would he learn it. Whatever he might have been in Europe, he was a failure in India, and to them an Egyptian taskmaster. He showed no sympathy with them, and he deserved none.

Hence, when every effort was required to restore the state of the army, he found no response to his appeals: the officials were more inclined to thwart than to assist him; and the government, which had for some time paid the troops in depreciated paper, so conducted the operation as to enrich speculators at the expense of the soldiery. In vain Lally protested against this scandalous, cruel, and dangerous practice; *on répondait froidement que c'était une monnaie de commerce*. He was at last convinced that he must look elsewhere for the sinews of war. A body of native cavalry might sweep the open country, and collect, at the point of the spear, the revenues of the Carnatic. Bussy approved the plan, but recommended Mussulmans from the Dekkan, whereas Lally preferred Mahrattas. Bussy reluctantly undertook to engage them; but they cost more than they brought in; and the failure of the experiment was a new cause of disagreement.

The northern Poligars offered another prospect of relief; and the council advised that Bussy should be sent to raise tribute from them. Before the matter was decided, the tidings of Forde's victory over Conflans at Peddapoor excited general consternation at Pondicherry; and the council, in conformity with public clamour, now recommended that Bussy should be commissioned to retrieve the disaster, and protect the territory which he had acquired. Had he been promptly despatched, with a sufficient force and ample power to negotiate, he might have conquered Forde in the field;

he would more probably have beaten him in the cabinet, and prevented Salabat's defection. But to this Lally could not make up his mind. He resented the dictation of public opinion; he suspected that the council was the subservient exponent of Bussy's ambitious wishes; and he dreaded being committed to a revival of Dupleix's policy, the more so as Bussy stipulated for a larger discretion than he was inclined to grant. Hence he at first proposed to give him the command of the troops, but to entrust the political duties to Moracin, a former governor of Masulipatam; then, yielding to Bussy's objections, he appointed him alone. But this arrangement was suddenly reversed; Moracin was nominated, and Bussy summoned to Arcot.

This vacillation, like so many of Lally's false moves, was occasioned by his want of money. He had at last induced Bussy to guarantee a loan, but only on the condition that the council should join in the security; and Bussy now insisted that part of this sum should be devoted to the Circar campaign. Lally refused, apparently relying on Bussy's ability to pay his way, and increase his fabulous wealth at the court of the Nizam. But Bussy would not give up the point, and this, added to his insistence on the guarantee of the council to the loan, probably provoked Lally to supersede him. He vented his indignation by disobeying the summons to Arcot, pleading sickness. Lally sent him, through the governor, a formal order to join; and in a letter he insinuated disaffection, and complicity with *cette séquelle de gens, que l'intérêt personnel guide*. Bussy at once forwarded a medical certificate, and later a haughty and splenetic reply, defending himself against the imputations of malingering and sedition; accusing Lally, in turn, on the evidence of camp gossip, retailed at Pondicherry, of a deliberate intention to trifle with, spite, and persecute him; and requesting leave to return to Europe. Bussy is, in many respects, a mysterious person. How far he really wished to quit the scene, may be doubted. He may have seriously desired to recruit his health at home, after prolonged and arduous service in the east, to escape from an intolerable position, and to avoid the risk of sacrificing his fortune in an inglorious and unavailing struggle. His request may have been simply the petulant expression of a passing fit of discontent and discouragement. Or he may have deliberately sought to extort an admission that he was indispensable, and to secure better treatment. As he was expecting to receive the appointment of second in command, he may even have thought that a visit to Europe might enable him to mount higher, and to supplant his rival.

Forde meanwhile had stormed Masulipatam, taken there Conflans and the French force, which outnumbered his own, and persuaded Salabat to acquiesce in the expulsion of the French from the Circars, and to cede the conquered city and a district

around it to the English, not in *jaghire*, but absolutely. Moracin found the place in the enemy's hands, and tamely returned with the tidings, which so far from lulling the quarrel, made it more inveterate and notorious. Lally saw too late his mistake in not having sent Bussy at once against Forde, whose rapid progress he had not anticipated. He knew the importance attached by the company to the possession of the Circars, and the national indignation that would be aroused by his successive reverses. Bussy's return to Europe at this juncture would be doubly dangerous, from the loss of his political influence at the court of the Subahdar, and from his intrigues and misrepresentations at the court of Versailles. The offer of a mission to reclaim Salabat would look like an *amende*, and put Bussy in the wrong, if he declined it: if he undertook it, his success would be attended with great advantages; his failure would go far to burst the bubble of his reputation.

Such, as far as we can judge, seem to have been Lally's mixed motives for making the proposal. But again Bussy pleaded sickness. His conduct on this occasion certainly appears suspicious, insubordinate, and wanting in public spirit. Perhaps it may be thus explained. He seems to have felt that it was too late for him to interpose with effect, and that his chief had cut the ground from under him. His personal prestige was gone. The slight esteem in which he was held by the commander-in-chief was no secret to any one. He had been ordered away, at a moment's notice, from the Dekkan, and compelled to remain a passive spectator of the conquest of the districts which he had gloried in acquiring, and which had been the base of his power. His differences with Lally were also notorious, and would impair his weight as a diplomatist; nor could he be sure that he might not be foiled and befooled by some new caprice; for he had learned that Lally had made secret overtures to Nizam Ali, Salabat's disaffected brother, and the friend of the English. Nor did his chief's tone inspire confidence. For he did not profess to approve the mission, but to suggest it because others thought it necessary. Bussy may also have been influenced by some wild expressions in which the writer implied that he was inclined to retire in despair. Might it not be well to leave him to feel the full burden of his troubles, and so hasten the date of his departure?

Lally was furious at the manifest subterfuge: *c'était bel et bien un refus de service!* Bussy was evidently resolved to baffle all his plans, in order to reduce him to impotency, and then step into his place. He forbade *ce singulier malade* to appear in his presence, and was much minded to put him in arrest. The prohibition was conveyed through Lavaur, a double traitor, who, continuing to stand well with both parties, repeated to each the other's indiscreet speeches, and inflamed their mutual animosities.

The army was in a deplorable condition. The soldiers were in

rags, unshod, and famished. Their pay always in arrear, they became turbulent, and it was impossible to punish severely the frequent though partial mutinies into which they were goaded by their misery. Lally deeply sympathised with their privations, and urgently but vainly importuned the council to relieve them. He therefore now resolved to carry out the project of setting up an anti-nawab, partly for the sake of the money and other supplies which his candidate immediately tendered, partly in the hope of realizing through him, as a sort of arch-zemindar, the revenues of the Carnatic. Thus Rajah Sahib was in fact a mere French official, unconnected with the Mogul polity, though he no doubt regarded himself otherwise. Encouraged by the first fruits of this new political departure, Lally was meditating negotiations with Tanjore, Mysore, and Salabat, when the arrival of a French vessel produced new complications. A despatch from the minister conferred on Lally more stringent control over the civil government; but it also notified the appointment of Bussy as second in command. Whatever satisfaction the general might derive from his increased authority in the city, it was more than balanced by his repugnance to Bussy's promotion. But there was one point of consolation: now, at any rate, he could no longer have the face to shirk duty. Serve accordingly he should, and should be compelled to assume the responsibility of the position into which he had insinuated himself. He was summoned; rated in no measured terms; and ordered to submit in writing the measures which he thought ought to be adopted in the critical state of affairs. Instead of doing so, he sent a letter, which could not but add fuel to the fire of his chief's resentment. He affected reluctance to take up his new appointment, and before doing so insisted on an assurance that his services would be acceptable. Such a blended vein of irony and exultation was too much in Lally's own style. He also endeavoured to pledge his chief to what, though he disclaimed it as such, read much like a revival of Dupleix's system. And he took care to add:—*les besoins pressants de l'armée sont un malheur auquel je ne puis remédier*. Lally at once replied that both parties were bound to obey the express commands of the king, irrespectively of their personal differences; and that he could not sanction the departure of an officer *que le roi fixe ici par un ordre exprès*. It was for Bussy to say, would he do his duty—Ay or No—not to exact conditions. Bussy, who had no intention of forfeiting the prize which he had eagerly sought, then forwarded the required minute. Its general drift was to recommend an alliance with Basalut. This would involve his recognition as nawab of the Carnatic, and the removal of Rajah Sahib. Basalut would undoubtedly expect a share of the revenues; but he would secure the remainder to his allies, as Rajah Sahib could not do, and

would himself maintain the sepoy battalions and other native soldiers then in the French service. Thus relieved, assured of supplies, and its operations covered by Basalut's troops, the European army might be turned to full account, which hitherto had been impossible; and Rajah Sahib might retire on a *jaghire*. Great results might have been obtained, had this plan been followed when Bussy first recommended it. He was at once commissioned to carry it out, with full discretion as to the terms of the negotiation. He departed, with a small escort of infantry and cavalry, and two guns, in no sanguine mood: *mon plan est bon, mais il vient trop tard*.

The prospect brightened for a moment by the unexpected arrival of the French fleet. Though his force was superior to the English, Aché had fought an indecisive battle, and was in a desponding temper. And as September was half over, and he dreaded the coming monsoon, he insisted on departing after two days, in spite of the unanimous protest of a general assembly. He was implored to remain on the coast at least as long as the English fleet should do so, and plainly told that to act otherwise was to ensure the loss of the settlement. Yet he set sail after landing a few recruits, 400,000 livres, and diamonds valued at 380,000, which he had taken in an English vessel. His departure, for once, produced perfect unanimity. A 'national' council was held, and a fresh protest, signed by the leading men of every class, declared that by his desertion he would incur the sole responsibility of the loss of the 'colony;' that an appeal for justice against him would be made to the king; and that each of his captains would be served with a copy of the document. This brought him back; and he was with difficulty persuaded to spare 450 sailors. But he persisted in his determination, and when the English fleet hove in sight, he weighed anchor and, avoiding it, went his inglorious way for ever.

Again thrown upon his own resources, Lally attempted to exert his new powers, and reform the administration. He detected scandalous abuses, and endeavoured by personal control of the expenditure, by reducing the civil establishments, and fining heavily the corrupt native agents of the government, to promote economy, and replenish his military chest. This raised a great outcry against him in the city, and provoked the officials to obstruct his measures for the payment of the army. The recoinage of the money, and the sale of the diamonds, were deliberately delayed, though the troops were ten months in arrear.

The long-suffering of the army throughout its terrible trials must have struck the reader of this sad story. The French regiments, like their leader, had been accustomed to an organised commissariat, and had started with high hopes of winning new

distinction in the east. The company's troops had been nurtured by the unremitting care and versatile ingenuity of Duplex, and led to victory by Bussy. But under Lally, from the first, both had been in very evil case. Wretchedly fed and clothed, constantly unpaid, they had suffered severely from the climate, and from incessant and arduous service, which wasted their energies, and thinned their ranks, without affording them an opportunity of grappling with the enemy in the open field, and at once retrieving their reputation, and alleviating their misery, by a decisive victory. Yet, pitiful, humiliating, and exasperating as had been their lot, they had shown, on the whole, an admirable spirit: and when driven by sheer necessity to mutiny, they had been quickly appeased, and reconciled to their hard fate by very partial concessions of their rights. Whatever were Lally's faults, this fact speaks very strongly in his favour, as to his military management under such adverse circumstances. His officers seconded his efforts, and contributed their money to eke out the soldiers' poor pittance, and tide over each emergency. But the abrupt return of the fleet, and the delay interposed by the officials in providing for the payment of the army, when it was known that treasure had been landed, brought matters to a desperate crisis. The whole army rose in revolt; encamped at a short distance from Wandewash; chose officers from the ranks, two sergeants being declared generals; and threatened extreme measures, unless the arrears were paid in four days. Meanwhile good discipline, and careful precautions against an attack of the enemy, were maintained. Lally, by compelling the council to send their plate to the mint, and procuring a loan from Lavour, raised about 10,000*l.*; which he forwarded with a proclamation, unfortunately entrusted to an unpopular officer. He was tumultuously received, and returned without even reading the document. Crillon then undertook the task; was greeted with military honours; and effected a compromise.

Though the revolt was at an end, Lally's military authority had been shaken to the foundation; and he had only succeeded in re-establishing it for the time, by exposing in the plainest and severest terms the misconduct of the civilians, and exculpating himself, at their expense, from scandalous charges of malversation which, when current in the city, they had at least taken no trouble to contradict, and which had been assiduously circulated in the camp. The desire to guard against another general military combination, and the hope of tapping new sources of supply, led him to commit the great strategic mistake of dividing the army, just as the English had been reinforced, had captured Wandewash and several other places, and were preparing to besiege Arcot.

Meanwhile the application to Basalut had failed. The revolt of the army and a treacherous letter from Pondicherry had cooled his

first ardour for a French connexion.¹² He wavered, took new ground, and finally required three months for consideration. Thereupon Bussy threw up the negotiation and retired. Learning on his return that Arcot was invested, he made a forced march, and with the help of troops from Wandewash, raised the siege. Lally sneered at *la chute des chimères* of his emissary; but not the less sensibly did he feel his own disappointment; and his desponding language and hesitating counsels betrayed his agitation and perplexity. *Si la paix ne se fait prochainement, je m'écroule.* Bussy, he declared, had been inciting the army to revolt. He would join the faithful Crillon in the south, and leave *ce traître* to his own devices at Pondicherry: *Je lui abandonnerai les trois quarts de l'empire volontiers. Que ne puis-je lui céder le tout.* After announcing to the council Bussy's appointment to the command of the army in the north, he changed his mind, and returned to Arcot. Bussy thereupon suggested the recall of Crillon's detachment; a general action might then be fought, with good hopes of a victory, after which operations against Madras might be resumed. But Lally had special reasons for not adopting this advice. The difficulty of subsistence, and the danger of renewed mutiny, had caused him to disperse the troops. And he had fresh occasion to fear the recurrence of these evils, and to mistrust his adviser. For an insidious attempt had been recently made to transfer the chief command to his hated rival. Saint-Estévan, a seditious Jesuit, had opened a professedly religious mission at Arcot, the head-quarters of the army. He had two strings to his bow: the soldiers might be instigated to depose Lally, or the officers to recommend him to resign. Accordingly, in addressing the soldiers, the *soi-disant* missionary lauded Bussy to the skies, and enlarged on the expediency of his being made commander-in-chief. *Il vantait*, says the commandant of Arcot, *la piété et les richesses de Bussy, qu'il appelait l'homme de Dieu.* The officers he approached as a patriot, and a well-wisher to Lally. Confidently assuming that the feelings which he sought to inspire were already operative, he dwelt on the complete estrangement of the soldiers from their general, and their fixed resolution no longer to obey him, and hinted at the probability of his being assassinated. Would it not then be well to persuade him, for his own and the public good, to abandon a hopeless position? The commandant of Arcot forwarded to Lally a letter to this effect, addressed to himself by the Jesuit. An enquiry was instituted among the soldiers, which proved distinctly the practice with them, the falsehood of the charge that they were disloyal, and the complete failure of the attempt to corrupt them. Saint-Estévan, who deserved

¹² *N'ayez aucune confiance en ce que vous dira M. de Bussy. M. de Lally n'a consenti qu'il allât auprès de vous que pour l'éloigner. Gardez-vous de vous laisser séduire par ses promesses.*—Hamont, p. 229.

to be hanged, was ordered to return to Pondicherry. He quitted the city, but opened a new mission in its vicinity. At Lally's request, his principal recalled him. But Lavaur, by his glosing professions of respect and devotion, still averted suspicion from himself.

Was Bussy privy to these machinations? M. Hamont acquits him, but on weak grounds. *Aucun fait ne légitimait les soupçons de Lally contre son rival. Le grief capital, c'est qu'on avait vu Bussy et le Jésuite causer ensemble, avec assez d'animation, pendant près d'une heure, au fond d'une pagode. Bussy a toujours nié avoir eu connaissance des projets du moine, qu'il n'avait jamais vu avant son arrivée à Arcate.*¹³ The second statement is not quite consistent with the first. The long, private, and animated conference looks suspicious. Bussy's denial proves little more than his unwillingness to admit the charge. And as to the last remark, fellowship in evil, like other ill weeds, grows apace. It is impossible to forget the legal criterion — *cui bono*? Saint-Estévan's action is not likely to have been spontaneous. As a Jesuit, he was under the vow of unreserved obedience to his superior, who had long been playing a double game, undermining Lally's influence, and maintaining an intimacy with Bussy. The intrigue was well-timed to coincide with the desperation to which the failure of the treaty with Basalut was likely to reduce both Lally and his army; and as to the latter, the reference to Bussy's wealth is significant. The anonymous letter to Basalut is also suspicious; for it may have been intended to mar the negotiation without compromising the negotiator. And if the officers could have been induced to adopt the Jesuit's suggestion, it might be hoped that Lally would resign in disgust, if not in despair; or, if he still held out, the military revolution might be accomplished by a *plébiscite* of the reunited soldiers. Thus, on the whole, the Scotch verdict 'not proven' seems the most appropriate. Lally, of course, went further, and convinced of his adviser's treachery, as a choice of evils, preferred to open the campaign without awaiting Crillon's junction.

Though Coote was watching his motions, he crossed the Palar in the night, surprised the town of Conjeveram, the enemy's storehouse, recrossed the river, and sat down before Wandewash, leaving Bussy, with a strong corps, to cover the siege. Though speed was so essential, Dure's leisurely imbecility, as usual, wasted several days. Lally was quite aware of the danger of being attacked while engaged in the siege, and Bussy urged him to raise it, and fall suddenly on Coote with their united forces. But he chose to take the inadequate precaution of ordering Bussy to join him. Two days after his arrival, on 22 Jan. 1760, the English advanced to the attack, and drove in the French outposts. Lally drew up his army in front of his camp, in the rear of which was the town. He

¹³ Hamont, p. 234.

sent forward his Mahrattas to skirmish with the enemy on the march. But they fled at the first fire, and, planting themselves on high ground, witnessed, without sharing, the battle. Lally's own regiment formed the left of his line, commanded by Bussy, and flanked by a tank, in which were posted 200 sailors and some guns. The company's Europeans were in the centre, and on the right Lally took his own station, with the regiment of Lorraine, and the European cavalry. In their rear was a body of sepoys, with fifty European grenadiers, and two guns. The English formation was somewhat similar, their company's Europeans being also in the centre, flanked on each side by a king's regiment. Behind them was a second line of European grenadiers, and a third of sepoys. Lally opened the battle by charging with his European cavalry the enemy's left.¹⁴ His own gallantry was conspicuous, but unavailing. The horsemen showed no alacrity to move; and when, in full career, two saddles were emptied, they faced about, and fled far away to the rear, leaving the general and his aide-de-camp alone, within eighty paces of the enemy. Their want of spirit, or of goodwill, provoked the regiment of Lorraine to err in the opposite direction. The loyalty of these soldiers had been called in question; they had longed to meet the English in the field, and wipe away the reproach; and they had seen with indignation the desertion and peril of their general. Thus their ardour became irrepressible, and without orders they advanced impetuously against the regiment immediately opposed to them. Lally saw the false move too late to arrest it: a furious combat followed; but in the end the French were repulsed and broken. On the right, the fortune of war declared itself not less decidedly in favour of the English. The tank occupied by the sailors was attacked, and stoutly defended. But a tumbril exploded, killed eighty men, and threw Lally's regiment into confusion. Bussy made great efforts to check the enemy by a hot fire, and repeated charges. But he was made prisoner; the tank was stormed; the captured guns were turned on Lally's regiment; it was driven in on the India battalion, and both shared the fate of the right. Then Coote's army advanced to the pursuit; Lally rallied the fugitives at his camp; and while the European cavalry made some reparation for their misconduct by covering the retreat, he burned his tents, destroyed a quantity of ammunition, spiked some guns, carried off ten, and retreated on Gingee, and thence on Pondicherry. The two companies' European regiments did not come to close quarters, nor were the sepoys on either side seriously engaged. Thus it was a battle of royal troops from Europe on both sides. Though Coote was an able general, and his soldiers were more numerous, and in better condition than the French, so prompt and complete a defeat

¹⁴ M. Hamont says his right; but this is a mistake.

seems little reconcilable with Lally's European reputation. But circumstances were exceptionally adverse to him. Bure's dilatory pedantry exposed him to the disadvantage of fighting while entangled in a siege. The Mahrattas proved utterly worthless, and the misconduct of the European cavalry was the first link in a chain of disaster. Had the regiment of Lorraine been kept steadily in hand, it might have sustained the centre, and prevented its being carried away in the rout of Lally's regiment. The explosion of the tumbril, and Bussy's capture, completed the catastrophe.

Such a defeat was, under the circumstances, a mortal blow to Lally's enterprise. Discredited by former failures, deserted by the fleet, receiving no help from Europe, obstructed by the government, destitute of native alliances, hated by the European settlers, plotted against by unrelenting enemies, betrayed by professed friends, on the worst terms, and invidiously contrasted, with his second in command, who seemed destined, if not determined, to thwart all his operations,—Lally had still retained the affection of the French troops; and had hoped, at their head, to strike a decisive blow, recover his good name, and disperse the gloom that had long hung over his prospects. A great victory would have at once removed many of his difficulties; and he had now learned that it would be wise to avail himself of it for making friends of the country powers, and thus strengthening himself until effectual assistance might arrive from France. But that hope was at an end. He had been vanquished in fair fight. His loss had been heavy, and was the more serious as, while it was irreparable, the enemy were being reinforced. Their fleet had returned, and additional ships were on the way. M. Hamont thinks that by recalling his troops from the south, and withdrawing his garrisons, he might have retrieved his position in another battle. But this seems very doubtful. The confidence of the army in his generalship must have been much diminished. To abandon the Arcot country would have been to confess his inability to retain it, and thereby deepen the despondency of his troops; whereas to cut himself off from his sources of supply would be not only discouraging, but a direct incentive to renewed mutiny. And slight was the hope that with his disheartened and famished men he could conquer Coote's stalwart and well-fed soldiers, flushed with victory. Nor could he leave Pondicherry to be attacked by the English fleet, and invested by a rapid movement of his able adversary, while he was concentrating his troops from a distance. Thus his only course was to return to the French capital, and to keep the enemy at bay, on the desperate chance that he might still be delivered from his perilous situation by the arrival of Aché, whom he had summoned with extreme urgency. Forlorn as was the outlook, he might have faced it more calmly had he not been possessed with the idea that his disasters

were due to internal treason. This conviction maddened him ; and his frantic utterances made him not only odious, but contemptible. *Le méchant homme est devenu fou !* was the popular cry. Instead of recognising how much his defeat was due to himself, when his zeal as a cavalry officer interfered with his supreme control as a general, he ascribed it to an *infernal complot*. Well-founded as were many of his complaints, his hysterical violence, at a crisis when self-control and a conciliatory spirit were so requisite, was at once pitiable and grotesque. *L'enfer s'oppose à tout ce que j'entreprends. Le gouverneur, le conseil, les femmes, le peuple, la brigade, le démon, m'ont fait perdre la bataille.* And when Bussy reappeared, expecting to be definitively released on paying a ransom, Lally raised technical difficulties, and forced him to retire, still a prisoner, to Madras. Thus he plays no part in the final struggle in India, but wreaks his hoarded vengeance, with terrible effect, in France.

Coote renewed the siege of Arcot. As he had deposited his prisoners and magazines in Chittapet, Lally proposed to divert him by attacking this place, and was contemplating another battle, when renewed symptoms of mutiny appeared ; and the arrival of reinforcements under Admiral Cornish made the defence of Pondicherry, and the recall of the southern division, imperative. Arcot fell, and within a month Coote had reduced all the outlying French possessions except Gingee, Thiagar, and Karikal. The last was taken by the fleet, and the English army marched on Pondicherry, and captured Valdore, in its immediate vicinity. Both generals occupied entrenched camps, Coote to the west of the city, Lally at Oulgari, near the bound hedge, on the same side. Neither cared to precipitate a battle. Coote knew that time was on his side, and that the French were in the toils, but still formidable. Lally was awaiting the result of a negotiation with Mysore ; and Hyder was preparing to assist him, the immediate cession of Thiagar, and the promise of Trichinopoly when taken, being the price of the alliance. The Mysore contingent entered the Carnatic, escorting a large convoy, and gained an advantage over an English party. But most of the cattle disappeared during the skirmish, and the Mysoreans retired, not (as M. Hamont says) because the English bribed their leader, but because Hyder recalled it, in consequence of the sudden and dangerous defection of his dewan. Lally made a spirited night attack on Coote's position. He was successful on the right ; in the centre the resistance was obstinate ; and as the India battalion on the left did not co-operate, the French were at last obliged to retire. Orme thinks that the company's officer who commanded the defaulting column lost his way in the darkness. Lally of course accused him of treachery. Though the English army had been strongly reinforced, the French with numbers daily diminishing still boldly

maintained their position at Oulgari, the detached fort at Arian-copan, and a chain of redoubts, connected by a cactus hedge. But the English delivered a general assault in the night on all these points. The redoubts were taken; the line of the hedge was thus turned, Arian-copan was evacuated, and the French hastily retreated under the cannon of the city, and after several spirited sorties shut themselves up within the walls. Coote strengthened his lines, and threw up some batteries. But he intended not to besiege, but to blockade the place, and rely on the sure effects of famine.

The situation of Lally was now terrible. Pondicherry he had denounced as a second Sodom; yet his duty was restricted to making a last stand on behalf of this odious place. The complete reversal of his comprehensive project must have been intensely agonising to such a man. That he had been hampered, thwarted, and betrayed by others, was a poor consolation. He could hardly blind himself to the fact that his disaster was, to a certain extent, owing to himself. Still less could he be unaware that the general voice attributed it, with too much plausibility, to his obstinate perversity; while many were, or professed to be, convinced that he was a deliberate traitor. Plots were hatched against his authority, and his life was threatened. To save the city was a forlorn hope; and if it fell, national indignation would be aroused, and he was too likely to be made the scapegoat for the sins and shortcomings of others. His health was seriously impaired, and he was at this time obliged to undergo a dangerous surgical operation. He was firmly resolved to hold out to the last; but his sufferings were grievously aggravated, and his difficulties increased, by the factious obstruction of the council, and the seditious attitude of the citizens. Hoping to avert an immediate assault by an imposing display of numbers, he ordered a muster of the European inhabitants, in military equipment, on the shore. They were bound to do garrison duty; but they disputed the order, mutinously invaded in arms the precincts of the council chamber, and were abetted by one member of that body, La Selle. In vain the governor himself gave the word to march, and offered to lead them forth. They refused to follow him; and the commotion was only suppressed by the arrival of a party of soldiers with fixed bayonets. Lally did not persist, and contented himself with relegating La Selle and two merchants to Gingee, and arresting the second member of the council, whom he suspected of connivance. A little later the nerves of the invalid were shaken by a peril which might well appal the stoutest heart. After taking some gruel he was seized with convulsions and vomiting, and believed, probably not without reason, that an attempt had been made to poison him. To husband the provisions he proposed to send away the useless natives. The council raised a cry

of virtuous indignation at his cruelty ; and the postponement of this precaution hastened the day of doom. A merchant who had been caught in the act of selling the rice reserved for the soldiers was heavily fined. The council sided with the offender, and so tormented the general with minutes on this and similar acts of necessary rigour, that he cut the knot by forbidding that such cavils should be formally recorded. Then he was inveighed against as a despot and a *bête féroce*. When he prohibited the export of cattle, lodged the whole stock in the fort, and ordered a general search of houses, including his own, for food, the council again raised an outcry and declared :—*Lally veut effrayer et décourager tout le monde*.

At last, in desperation, he proposed a strange expedient,—to resign his authority, and throw the responsibility of the defence on his opponents. But the officers declared that neither they nor their men would obey any other general ; and the council disclaimed the power of receiving his resignation. Thus matters remained as before, and the only hope of deliverance lay in the return of the fleet. This hope was finally extinguished by tidings from the Isle of France, which informed Lally that Aché absolutely refused to afford him any assistance. On the other hand, he received at the same time still more ample powers from France, and strictures on the council for their opposition to him. He suppressed Aché's disheartening resolve, and with the governor's help tried to establish a better understanding with the council. But Lavour, whom he employed as mediator, as usual, betrayed him, and encouraged them to proceed to greater lengths than before. They accused him of fabricating the last despatches from France, and engaged in a plot to arrest him. But, supported on this occasion by the governor, he erected gibbets, and threatened to use them. Yet no one was punished. A faint prospect of escape was elicited by the stormy outburst of the monsoon, which damaged and dispersed the blockading squadron, and did much mischief to the enemy on the land side. But most of the vessels reappeared ; the blockade was re-established ; and the defenders were reduced to their last meal. Lally in vain endeavoured to arrange with the government reasonable proposals for a capitulation. They insisted on a truce for a fortnight, during which Coote was to provision the city. If not relieved within that time, it was to be given up. The absurdity of such terms was so obvious, that the general was fain to settle his own plan in a council of war. This, in turn, Coote rejected, and the garrison was compelled to surrender at discretion. But he was prepared to respect private property, and refer the fate of the city to the king. This did not suit Pigot's views, and he demanded that Pondicherry should be given up to him, as the company's representative, and carried his

point by threatening to stop the supplies of the English army and their prisoners.

Lally was ordered to Madras. When he was borne forth into the street, prostrated by sickness, misery, and shame, the mob assailed and threatened to lynch him; but he was rescued by a party of English hussars. His military secretary, the Chevalier du Bois, who followed him, was assassinated on the spot, and there is much reason to think that the murder had a political object. For Du Bois had with him a mass of official papers, relating to the disputes of Lally with the government, and the abuses of the administration. These were seized and sealed up by the *procureur du roi*, but were never reproduced. At Madras Lally was subjected to indignities and privations which made the blood of the gallant and fiery Coote boil. Nothing can be said in extenuation of such brutality. But, though Pigot carried his work of demolition at Pondicherry further than was necessary for military purposes, Lally's declared intention of extirpating the English, and his destruction of Fort St. David, may palliate the civilian's vindictive vandalism.

The tidings of the fall of Pondicherry produced an immense sensation at Paris. A calm review of the case would have established the fact that the calamity was inevitable; that the French had been hopelessly overmatched; and that it was impossible for a small and exhausted band of veterans to hold out indefinitely against a strong and well-appointed army, aided by a powerful fleet. But Paris was not in a temper to hear reason; and from that day to our own, Frenchmen, when beaten in the field, have been far more ready to raise the cry *nous sommes trahis!* than to own that they are not invincible, and to ascertain the actual causes of their defeat. The national vanity sought a culprit on whom to be avenged. The company was exasperated at the loss of its settlements, and the extinction of its trade. The government, conscious of its own remissness, hesitated between stifling inquiry, and fixing the blame on others. But the former course was impossible. Lally had preferred formal and most serious charges against the local administration, and against Bussy. And the conduct of the admiral had been arraigned by all parties at Pondicherry, and by the government of the Isle of France. Lally had, moreover, announced his intention of instituting judicial proceedings against his adversaries. On the other hand, they were equally determined to call him to account; and as the government had apprised them of his resolution, they felt that not only their reputation but their safety depended on anticipating his attack, and establishing their charges against him. Hence they were assiduous in private circles, at the India Office, with the ministers, and through the press, in misrepresenting his conduct, blackening his character, traducing his motives, and

propagating the legend, that the *Irishman* had been throughout faithless to the cause of France, and had sold Pondicherry to the English. Supremely ridiculous as was this version of the story, it was too well adapted to the occasion to be dismissed with the scorn which it deserved. Moreover, Lally was absent, and before he could obtain his release on parole, and confront his maligners, it was too firmly impressed on the public imagination to be either easily removed or safely ignored. He did, however, at first attempt to ignore it so far as the public were concerned: though to the minister he reiterated his charges, and demanded an inquiry. This was, for the present, declined, and he was ordered to hold his peace, which he did. Encouraged by his silence, the Pondicherry councillors petitioned the king to be allowed to answer his accusations, and presented to the minister a counter-charge of high crimes and misdemeanours. Leyrit and Bussy then came forward for the first time. Bussy was the more formidable because he had married a relative of the Duc de Choiseul, and had taken care to lay his case before the powerful minister. He now addressed a letter to the directors, insisting that his character and the public interest alike required that Lally's imputations against him should be produced and judicially tested *aux risques de l'accusateur et de l'accusé, dont l'un ou l'autre mérite la mort*. Thus he challenged his adversary to mortal combat. The councillors took a similar tone; and public opinion declared itself more emphatically than before against Lally. Bertin, the finance minister, still hoped that the storm would blow over; but Choiseul, who was minister at war, yielding to its violence, or to Bussy's influence, signed a *lettre de cachet*, consigning Lally to the Bastille. The unfortunate general proudly refused to fly; wrote to the duke, *J'apporte ici ma tête et mon innocence*; and quietly retired to his cell.

But a year and a half elapsed, and his fate remained in suspense. His petition for a council of war, composed of general officers, received no reply; nor were further proceedings taken against him. And he might have lingered out his life in prison, or been after a while released, and spent his last years in exile with a clouded reputation, but for the death of his treacherous confidant, Lavaur. This man had played his double part throughout with much subtlety; and so persistently had he deceived Lally, that he had been entrusted with the negotiation for the surrender of Pondicherry. He had written and shown to Montmorency, before the departure of that officer from India, an account of the earlier operations, in which Lally's character and conduct were most favourably reviewed. And there is good reason to believe that he had continued the narrative in the same strain, though it was effectually suppressed by those into whose hands it fell after the

author's death. But he had also prepared another continuous commentary in a directly opposite sense.

The absurdity, incoherence, and mendacity of this odious farrago of scandal have been fully exposed by M. Hamont.¹⁵ But it was artfully invested with an air of probability, and was precisely calculated to confirm the current myth, and thus answer the purpose of Lally's accusers. They therefore treated it as a document of immense importance, and indisputable cogency. Here was the secret history of the fell treason, minutely detailed by the great traitor's familiar! It was industriously circulated in suggestive extracts, which produced a powerful effect on the vain and susceptible Parisians; and the general cry for vengeance waxed loud. The *procureur général* based on this disreputable evidence a demand that Lally should be tried for high treason and other offences. The minister offered no opposition; the king yielded, though not without a struggle; and the cause was entrusted to the parliament of Paris, a most unfit tribunal. But to commit the king more directly, without depriving the parliament of its right to pronounce the final sentence, a preliminary investigation was referred to the Châtelet.

Nothing could exceed the iniquity of the process. The king had expressly ordered *qu'on instruirait l'affaire en tout ce qui aurait trait aux faits de l'Inde*. Had this been properly done, the myth would have been dissipated, and the responsibility for the catastrophe would have been widely distributed, instead of being entirely imputed, on false grounds, to the conquered general; and though the accused would not have escaped scathless, and would have been shown to have been grievously deficient in local knowledge, judgment, temper, insight into character, and consideration for others, his honesty of purpose would have been equally manifest; and it would have been clear that he had striven heroically to the last to avert a calamity which his faults had tended to precipitate, but which was mainly due to a fatal combination of circumstances beyond his control. The directors were responsible for pressing his appointment; the ministers for not accepting his proffered resignation, on the eve of his departure. He was thus forced into a false position. For it must be remembered that, whatever his own sentiments, his dissolution of the Dekkan connexion, his suspicion that Bussy advocated it because it enabled him to amass great wealth, his prejudice against the local government as too much inclined to the policy of adventure, and as inefficient and corrupt, were all countenanced in his instructions. And thus he was officially launched upon a career beset with fundamental difficulties, involving unsympathetic and antagonistic relations with those whose goodwill and zealous co-operation were indispensable to his success, and requiring the greatest circumspection, delicacy, patience, and observance of seasons. That he was not the man to execute such a

¹⁵ Pp. 280-288.

commission in such a spirit, both the directors and the ministers were well aware ; and thus their insistence on his undertaking the task was the initial cause of the failure. A less headstrong man would not have recalled Bussy in such haste, as the time for taking this decisive step had been left to his discretion, and he had been warned against taking it prematurely. A more prudent and considerate man would have treated the government of Pondicherry less cavalierly, and would not have taken pains to let them know how badly he thought of them. Nor would such a man have so ruthlessly ignored the social distinctions, and violated the religious sentiments, of the natives. A more teachable man would have modified betimes his preconceived notions, and without becoming a convert to Dupleix's system as a permanent institution, would have earlier seen the necessity of adopting it partially, as a temporary expedient for combating the British. His instructions, indeed, intimated the propriety of such a course. This concession to the views of Leyrit and Bussy, the one pleading the emptiness of the local treasury, the other the availableness of the Nizam's resources, would have promoted a better understanding with both, saved endless discord, and averted the penury which so long paralysed the French arms, and gave the English leisure to muster in overwhelming force. Bussy, despatched in the first instance to the Circars, might have done good service ; whereas his precipitate recall, and retention with the main army, entailed manifold and fatal evils. How far the subsequent quarrel between two men whom so many circumstances tended to embroil could have been avoided, may be a question. But it is certain that the fault was very far from being only on Lally's side, and that his conduct of the war was seriously compromised by his apprehension of Bussy's treachery, and that of his suspected confederates. Thus Forde's conquest of the Circars was made easier ; and the separation of the army enabled Coote to strike the decisive blow at Wandewash. If Bussy was harshly judged and badly used by his commander-in-chief, he certainly gave ample occasion for mistrust, jealousy, and severity. In their first interview he tried to carry his point by coarse bribery. His intervention during the sortie from Madras was officious, looked ambiguous, and helped the enemy to escape. His attempt to force Lally's hand, and anticipate his appointment as first brigadier ; his insolent and insubordinate tone when summoned to Arcot, instead of being sent to Masulipatam ; his intrigues to force himself into the place of second in command ; his intimate association with Lally's enemies ; the perfidious expedients employed, with or without his privity, to shake the fidelity of the army, and provoke a military revolution in his favour ; the failure, whether casual or not on his part, of the negotiation with Basalut,—were all at once causes of aggravated suspicion, and fatal links in the chain of misfortune.

The Pondicherry government, ever ready to shelter itself under the plea of inability, displayed from the first no zeal in the common cause, no spirit of self-sacrifice, no readiness to reform abuses, prevent jobbery, and make the most of its means. As Lally's difficulties increased, the councillors ventured on more active opposition: they contemned and undermined his authority; drove the army to a general revolt against him; and were probably privy to Saint-Estévan's project, if not the authors of it. During the blockade they reduced the general to despair by their determined resistance to all his precautions for the defence of the city; and by their impracticable proposals as to the surrender, exposed it, as far as in them lay, to be taken by storm. And these were the persons who brought a railing accusation of treason against the man who had done so much to postpone the calamity that they had done so much to accelerate! Again, Dure's incompetence was greatly answerable for the failure of the siege of Madras, and the surprise of Wandewash. The admiral, like the general, was grievously disappointed at the cutting down of the expeditionary force from its original proportions, and embarrassed and disheartened by the real or affected deficiency of resources at Pondicherry. But his dilatory voyage forfeited all the advantages anticipated from a surprise; his premature withdrawal prevented the prosecution of the siege of Madras when the army was almost intact, and flushed with recent conquest; his second still more abrupt departure imperilled the French settlements; and his refusal (though excusable to a certain extent by the orders of the French government) to afford any help at the last, made the triumph of the English certain.

When the scale of the armament had been reduced, Lally had been reassured by the promise of reinforcements. Hard pressed as the French government was in many quarters, it did, on one occasion, redeem this promise. But Aché intercepted this solitary succour, though the general had formerly assisted him with men, and with money out of his own purse. Thus, without vessels, poverty-stricken, his original force minished and brought low by incessant service and suffering, and distracted by the prospect of being left to struggle on feebly in complete isolation, Lally could only offer, for months, a passive resistance, and when his food was exhausted, surrender on the best terms he could obtain. This he did; and he and his gallant officers and men deserve all honour for their long and heroic endurance, and for having yielded only to famine.

Such would have been the conclusions established by a really judicial and exhaustive inquiry. But the whole object of the process was to vamp up the myth, to insure the condemnation of the accused, and to screen other culprits.

The monstrous assumption was, that the leader of the expedition had, from the first, intended to work out the ruin of the French

interest in India ; that he had arranged his plans, and conducted his operations, so as to lead up to this result ; and that he had put the finishing touch to a long course of treason by selling Pondicherry to the English. To give plausibility to this assumption facts were tortured with diabolical ingenuity ; ridiculous fictions were eagerly welcomed by the court ; scandalous gossip was reported, and received as legitimate evidence ; obviously untrustworthy witnesses, who freely contradicted each other and themselves, were heard not only without check, but with marked favour ; while material and conclusive testimony on Lally's behalf, tendered by distinguished officers, was rejected, evaded, carped at, or perverted. The prisoner was denied the help of counsel ; he was disconcerted in his defence by insolent interruptions and brutal threats ; yet after all it was found impossible to prove his guilt by direct evidence ; a mass of distorted facts and arbitrary inferences was focussed into an incriminating *ensemble* ; and thus was patched up a lame apology for a case of constructive treason ; and the parliament condemned the prisoner, and sentenced him to be degraded, to forfeit his property, and to be beheaded. One zealous judge held that he ought to be broken on the wheel !

Lally, under every disadvantage, had fought his desperate battle with his wonted courage, readiness, and pertinacity. His haughty air, his indignant denunciation of the attitude of the tribunal, the pungent sarcasm and suggestive innuendo with which he exposed the characters of the witnesses, and the glaring defects of their evidence, the frank assurance with which he demolished an insidious web of injurious surmise by a simple statement of facts, must have embarrassed his adversaries, and ought to have carried conviction of his innocence to the minds of his judges. And the vigour of his defence is the more to be admired, because he did not deceive himself as to the result. In a touching letter to a relative, Miss Dillon, he said :—*Il n'y a pour me condamner qu'un moyen, celui de m'empêcher de me défendre. On l'a employé en me refusant un conseil. Que voulez-vous que j'ajoute a ce mystère d'iniquité ? Tout mon crime, aujourd'hui, est d'être innocent. Plaînez-moi, mais oubliez-moi le plus tôt que vous pourrez.* But if he could not obtain justice, he would at least leave his judges no excuse for condemning him. He had already published two memoirs, one at the opening of the trial, another to refute the calumnies which it had elicited, and to prove the misconduct of his adversaries in India. Bussy had replied by publishing their mutual correspondence, with a commentary adroitly adapted to represent himself as the innocent victim of persecution at the hands of his tyrannical and unscrupulous commander-in-chief. Lally now determined to submit his whole case to his judges. This included, besides his previous publications, his military and administrative correspondence, the minutes of the council of war relative to the surrender

of Pondicherry, and the instructions of the king and his ministers, which, though fully justifying much of his conduct that had been most severely arraigned, he had hitherto withheld. The whole filled some eight volumes. But it was practically ignored. It was put in late on a Saturday night.¹⁶ Monday was spent in taking additional evidence against him. And on the following morning the judgment was pronounced, with the audacious and heartless recital: *Vu la requête du sieur Lally et les pièces jointes et énoncées*; in other words, these documents were *assumed* to have been read and estimated. In vain Miss Dillon passionately appealed to the king for a respite, that the prisoner might not be executed unheard. Louis XV was inflexible, though he showed some misgivings at allowing such injustice to take its course. Lally was transferred from the Bastille to the Conciergerie, where he was shamefully treated by the warders, and despoiled of his watch and ornaments, even of his shoe-buckles! On the following morning, May 9, 1766, he was led to the chapel, and ordered to kneel, while his sentence was read. At the words, *convaincu d'avoir trahi les intérêts du roi*, he rose, and uttered a vehement contradiction. Then he relapsed into silence, but suddenly exclaimed: *sur quelles têtes frappe donc la foudre, si elle épargne celles des assassins?* Producing a pair of compasses, he stabbed himself, but not mortally. He made no further resistance, even when the headsman insisted on gagging him. Instead of being conveyed in his own carriage to the place of execution, he was consigned to the cart used for ordinary criminals. Calmly confronting the rabble that surged and howled below the scaffold, he declared, in muffled accents, 'I die innocent!' He requested in vain that his arms might be unbound. He was then blindfolded, and the gag was removed. He begged the executioner not to strike until he should have ceased praying and gave the sign. But even this last solemn wish was disregarded; the blow fell prematurely, and amiss. The head was at last severed from the body with circumstances too revolting to be described.

The hideous scene was just over, when a boy fourteen years of age arrived, too late to tender his filial sympathy to the poor sufferer. But it became the passion of his life to procure the reversal of the iniquitous sentence: and before the *ancien régime* was swept away the pious task was accomplished. Stuart misgovernment made the first Lally an exile. Bourbon misgovernment sent the second to the block. The third shared his father's fate under the popular tyranny. Thus three generations of family history connect the English and the French revolutions. And the victim of the Parisian terror bears the stamp of the Emerald Isle: for Tollendal is the French version of Tully-Dale.

SIDNEY JAMES OWEN.

¹⁶ May 3, 1766.

Notes and Documents

EDDI'S LIFE OF WILFRID

THAT Eddi's life of Wilfrid is the work of a partisan appears even from a cursory reading and is generally recognised, and yet his story still lies at the base of most modern judgments of his hero's place and character, though much difficulty must be found in reconciling the motives and actions of Eddi's Wilfrid with the conduct of his contemporaries, or even with his own as recorded by others. This is a matter of more importance than might at first appear, for on the question whether the Northumbrian opposition to Wilfrid at Whitby and at York was to his teaching or to his person depends to no small extent our judgment of the relations of the Scottish missionaries and their pupils in Northumbria to the clergy of Kent and afterward to Rome. It is well therefore to examine Eddi's story in those places where it can be collated with other early sources, and from the results so won to draw some inferences as to his credibility when he stands alone. It will be most convenient to take up the points in the order of his own narrative.

That Eddi should begin his story by copying several paragraphs from Herefrid's (*i.e.* the 'anonymous') life of Cuthbert is not particularly to his discredit. That he should take another's words that suited his purpose accorded with the use of his time, which had very undeveloped notions of literary property. It is on his own responsibility, however, that he asks his readers to leave *antiqui hostis millenos invidiae stimulos*, for Wilfrid had never lacked opponents in life,¹ and they would have good reason to except to some parts of this narrative while the controversy was still fresh.

Eddi begins his narrative by telling of a miraculous light that shone at Wilfrid's birth. No doubt he took the story as he found it. He was not likely to know that this was among the standing *mirabilia* of Scottish saints, whose birth is usually connected in some way with fire. His description of Wilfrid's youth contains the

¹ He says apologetically: *Semper enim in propatulo fortitudo aemulos habet. Feriuntque summos Fulgura montes.* Praef.

usual tales of infant sanctity, most of it probable enough ; but there is no collateral evidence for these years, since Bede, and of course all later writers, do but condense, copy, or extend Eddi. Bede, who alone concerns us here, wrote (*Hist. Eccl.* v. 19) a connected account of Wilfrid's career, with Eddi before him, as will appear frequently in the course of this study. In books iii. and iv. he is more, sometimes wholly, independent of him. Differences between Eddi and Bede's fifth book are therefore more significant, because certainly conscious, than those between Eddi and his earlier ones.

Wilfrid's history begins with his fourteenth year, and here already Bede differs somewhat from Eddi. The latter says Wilfrid determined *paterna rura deserere, iura coelestia quaerere*, for since his mother's death his home was *molesta et immitis*. He loved *arma et equos vestimenta*que . . . *in quibus regalibus conspectibus apte stare posset*, and so with his father's blessing he sought the court of queen Eanfled where because he was *decorus aspectu et acutissimi ingenii* he pleased her, and she *concessit ei quod petierat ut sub illius consilio et munimine Deo serviret*. It does not seem that he remained here as page or otherwise, for *eo tempore* an infirm courtier wished to retire to Aidan's monastery, so the queen commended the boy to him *ut sibi ministraret et Deo serviret*, and they came to Lindisfarne. But Bede takes him directly from home to Lindisfarne, though later on (v. 19) he says he was received there *consilio et suffragiis* of Eanfled. This is another reason for thinking that he did not stay long at her court as has been asserted. It is worth noting in passing that this spiritual daughter of Paulinus sent the boy to Aidan, not to the Roman James or Romanus, for his education.

Both writers agree that the brilliant boy was popular at Lindisfarne. Then, says Eddi (§ 3), *post circulum annorum, suggerente Spiritu Sancto* he desired *videre sedem apostoli Petri*. . . . *Hunc talem sensum domino suo (Finan) enotuit; qui statim, ut erat sapiens suggestum a Deo esse cognoscens, consensum dedit filio carissimo*. Bede gives a different and intrinsically less probable version (v. 19). *Animadvertit . . . minime perfectam esse virtutis viam quae tradebatur a Scottis, proposuitque animo venire Romam et qui ad sedem apostolicam ritus ecclesiastici sive monasteriales cercarentur videre*. But the words that immediately follow in Bede show that this was at least not the avowed cause. *Quod cum fratribus referret laudaverunt eius propositum eumque id quod mente disposuerat perficere suadebant*, which they surely would not have done had he showed that he thought their way *minime perfecta*. The warm commendation of Finan and the convent is wholly consistent with Eddi's version, not with Bede's.

Bede copies Eddi in his account of the journey from Lindisfarne to Canterbury, Lyons, and Rome. He even copies the latter's mistake of Annemund for his brother Dalfinus (Eddi, § 4 ; Bede, v. 19),

but he omits the incident in St. Andrew's church and the papal blessing. In the account of the second visit to Lyons Bede tones down the wholly unjust accusation of queen Baldhild whom Eddi calls a Jezebel and *malevola regina*. Her countrymen regarded her as a saint. This error and the mistaken identity of Dalfinus suggest that the rest of the account may not be of meticulous accuracy.

Thus far Bede seems to have depended in the main on Eddi. After Wilfrid's return to Northumbria he draws from more independent sources. Eddi tells us that Alchfrid, who was governor of a province, *cum Oswiu patre suo regnabat* (§ 7), and repeats the exaggeration in sec. 10. This prince *audiens . . . talem servum Dei . . . de apostolica sede venisse et verum Pascha praedicantem et S. Petri apostoli ecclesiae disciplinam multiplicem didicisse quam maxime rex diligebat, suadente Coenowalcho* (of Wessex) . . . *ad se venire iussit* (§ 7). In Bede this is: *Coniunctus est amicitiiis Alchfridi regis qui catholicas ecclesiae regulas sequi semper et amare didicerat*. Both imply that Alchfrid was disposed to aid Wilfrid before he saw him, but though he showed later a disposition to foster opposition to his father and to the national church, a strong preference for continental peculiarities before his association with Wilfrid is inconsistent alike with probability and with his gift of Ripon to Eata the year before. It is more likely that the brilliancy and talents of the travelled courtier won the prince's support to his own ambitious schemes. Eddi tells us however that when Wilfrid *finivit praedicationis verba humiliter rex prosternens se ante pedes servi Dei electi et petivit ab eo benedictionem. Videbatur enim ei quasi angelus Dei loqueretur* (§ 7).

Eddi and Bede agree in the donation of Stanford, but the truth in regard to Ripon appears from Bede alone (iii. 25, v. 19; Vit. Cuthb. 7, 8). Eddi must have known that Eata was expelled to make room for his fellow pupil at Lindisfarne, for he was himself a monk at Ripon. It is not unjust therefore to infer that he did not think it part of a biographer's duty to tell discreditable truths. Bede too glosses over the transaction, especially in v. 19, for the *optio* given the monks was more apparent than real. To accept it would have been to cut themselves off from Lindisfarne and to make themselves monks of Wilfrid. His conduct was more shrewd than generous, yet Eddi assures us (§ 8), *Omnis populus, nobiles et ignobiles, eum habebant quasi prophetam Dei, ut erat*.

Another suggestive instance of Eddi's 'inaccuracy' immediately follows. We know from Bede iii. 7 that Agilbert, a Gaul, who had studied *non parvo tempore* in Ireland, and as it seems had been made bishop there, had refused to share the episcopate of Wessex with Wini, and on his way from Ireland to Gaul visited Alchfrid (v. 19); but Eddi knows him only as *episcopus transmarinus*

(§§ 9, 10), and implies that he came directly from the continent and visited Oswy also. They agree, however, that at Alehfrid's request Agilbert made Wilfrid priest at Ripon. Agilbert's training, and perhaps his orders,² though Scottish, were no obstacle to Wilfrid. Eddi apparently thought best to be silent of this. Alehfrid showed here, as with Eata, his determination to break with the national church by ignoring Colman's diocesan rights.

In his connected account of Wilfrid's life (v. 19), Bede passes from the ordination with the words *non multo post* to his nomination to the episcopate, omitting all mention of Whitby, which fills so large a place in his third book. Eddi too makes Wilfrid's part at Whitby comparatively subordinate, and the words attributed by him to Wilfrid and Colman accord with none of the six speeches given by Bede. Yet Eddi suppresses the fact that Oswy called, not on Wilfrid, but on Agilbert, who put the young priest forward *vice mea* and as *discipulus meus* (Bede, iii. 25; Eddi, § 10). Bede makes Oswy ask Colman of Peter's primacy. In Eddi *subridens interrogavit omnes*, and the synod proceed to recite *una voce* the *Tu es Petrus*, with which Bede closes Wilfrid's speech. Eddi here is both less artistic and less natural. It is clear that he has coloured details in Wilfrid's interest. Yet he gives him less prominence than Bede, and in this preserves a truer perspective. Wilfrid's part in the agitation that preceded the council and in the synod itself was essentially subordinate. He had been away from the court, where the case was practically decided by the calling of the council. To discuss this question was to decide it, and in his opening plea for uniformity Oswy practically settled the question. In what followed Wilfrid was the spokesman of others, advocate not principal. There was no vigorous opposition before or afterward to the reform. Colman found few and unimportant imitators, while the government of the church remained in the hands of his pupils. These things must be remembered in order to a right understanding of the opposition to Wilfrid during the next forty years. His advocacy of the Roman Easter, tonsure, and ritual, were not the cause of it; but the question is too large to be more than touched on here. The spirit of the two writers appears in their mention of Colman. Bede (iii. 26) says, *Videns spretam suam doctrinam sectamque esse despectam . . . Scotiam regressus est*; Eddi (§ 10), *Audiens quid esset faciendum tonsuram et Paschae rationem propter timorem patriae suae contempsit ut secederet et alii meliori sedem suam occupandam relinqueret*. Wilfrid, not Tuda, appears to be the *alius*; the *melior* hardly

² Bede, iii. 7, says of Wini *et ipsum in Gallia ordinatum*, but a Gallic diocesan bishop could not have lingered as Agilbert did in Ireland and Wessex, and he seems to have been consecrated bishop of Paris, and not translated to that see. If he had been in southern Ireland he would naturally share its jealous opposition to Hy and oppose its missionaries in Northumbria.

accords with Bede, iii. 26; but the *occupanda* might almost seem ironical. Bede implies that Colman felt personally insulted, and if the tone of Wilfrid's speeches is preserved he had cause to feel so.

His success at Whitby closes the first period of Wilfrid's career. Almost immediately those personal antagonisms begin that fill the rest of his long life and divide the church into his partisans and his opponents. Into the merits of the controversy I shall enter here as little as possible, but the question cannot always be avoided, for while hitherto the discrepancies between Eddi and Bede have been of minor importance they are now often radical, and their silence is sometimes more eloquent than their words.

When the synod was over, *reges deinde consilium cum sapientibus suae gentis post spatium inierunt quem eligerent in sedem vacantem qui voluisset sedis apostolicae disciplinam sibi facere et alios docere*. Unanimously they chose Wilfrid and the kings consented. Wilfrid declined but at length accepted. Thus Eddi (§ 11), who adds a long account of Cuthbert's virtues from Herefrid's life, attributed bodily to his patron though far from apposite to him. Yet he says, *Qualem ergo illi tunc eum intellexerunt, talem et nos adhuc viventes novimus*. Comment seems unnecessary. He continues (§ 12): *Locutus est (Wilfrid) . . . necessarium est . . . considerare quomodo . . . sine accusatione catholicorum virorum ad gradum episcopalem . . . venire valeam. Sunt enim hinc in Brytannia multi episcopi quorum nullum meum est accusare, quamvis veraciter sciam quod quatuordecimanni sunt ut Brittones et Scotti ab illis sunt ordinati quos nec apostolica sedes in communionem recipit neque eos qui schismaticis consentiunt*. Therefore he asked to be sent to Gaul for ordination. Now Wilfrid had been made priest by a man of Scottish training, and perhaps of Scottish orders; if he knew what quartodecimans were he knew that the Scots were not such; the apostolic see certainly received in communion the legates of Cummian in 631, and Popes Honorius and John had addressed letters of friendly counsel apparently to the clergy of all Ireland and to Hy (Bede, ii. 19). It will be observed that Eddi ignores Tuda's existence. The only other bishops of Celtic orders were Jarumnan and Cedd. He had no ground for such sweeping condemnation of Wini or Boniface, still less of Damian or Deusdedit, who were not yet dead, or at least known to be dead, at York. This part of Eddi's story is self-convicted. Bede helps us to reject the rest. He says (iii. 28), *Aldfrid misit Wilfridum ad regem Galliarum qui eum sibi, suisque, consecrare feceret episcopum*. In v. 19 he adds, in deference to Eddi whom he was then consulting, *cum consilio atque consensu patris sui*, but repeats *episcopum sibi rogavit ordinari*. In neither passage does Bede hint that Wilfrid was to be made bishop of York or for all Northumbria. He states twice, and once with Eddi before him, that he was to be made a bishop for Alchfrid and his province, and having

told of Tuda's nomination and death (iii. 26, 27), he says (iii. 28) that Oswy *imitatus industriam filii misit Cantiam virum sanctum* (Chad) . . . *qui Eburacensis ecclesiae ordinaretur episcopus*. The title of this section points to the same conclusion : *Ut defuncto Tuda Wilfrid in Gallia, Ceadda apud Occidentales Saxones in provincia Nordanhymbrorum sint ordinati episcopi*. Furthermore on his return from Gaul Wilfrid made no claim to York, and got it finally not because Chad was an intruder, but because he was not *rite consecratus* (Bede, iv. 2).

Whether sent by Alchfrid to Agilbert (Bede, v. 19), or by him to the Gallic king who sent him to Agilbert (Bede, iii. 28), or by the king's council to Gaul (Eddi, § 12) ; he was consecrated *statim* (Eddi, § 12), and yet Wilfrid was still *in transmarinis partibus propter ordinatione demorante* (Bede, iii. 28) when Oswy appointed Chad to York, so that Chad's consecration, which Eddi seems to think was in Northumbria (§ 14) may have preceded Wilfrid's.³ Yet Eddi says Wilfrid's consecrators did not send him *ad sedem episcopalem Eboracae* till *post spatium temporis*. This interval after his consecration was at least a year, and he had been away at least two, for Eddi (§ 15) says he returned three years before 669. Had Wilfrid supposed he had a claim to the episcopate of Northumbria, it is little to the credit of his zeal or his discretion that he should leave it so long to those whom he could not think well disposed to him.

But there was no struggle on his return. Eddi (§ 13), after telling of adventures in Sussex omitted by Bede, says that though *res ut male acta non latuit*, Wilfrid *revertens quippe ad sedem coenobialem abbatis, humiliter in Hripis tribus annis resedit*, with mission journeys to Mercia and to Kent, whence he returned *cum regula Sancti Benedicti*. Bede says of these years (iii. 28) : *veniens quoque Britanniam Wilfrid iam episcopus factus et ipse perplura catholicae observationis moderamina ecclesiis Anglorum sua doctrina contulit*, where the *et ipse* suggests rather co-operation with Chad than antagonism to him. In iv. 2 Bede tells of Wilfrid's work in Kent, *quoniam ante Theodorum rediit, ipse etiam in Cantia presbyteros et diaconos, usque dum archiepiscopus ad sedem suam proveniret, ordinabat* and made Putta priest at Rochester, implying that the work in Kent followed that in Mercia. Eddi (§ 14), makes Wilfrid come to Mercia at Wulfhere's invitation, and adds that he brought from Kent masons and cantors, among them Eddi himself. It is not probable, however, that Wilfrid became there first acquainted with the Benedictine rule, as Eddi's local pride makes him assert.

But though Eddi places his work in Mercia before that in Kent, this seems due rather to the propinquity and importance of the

³ In iii. 28, Bede places Wilfrid first ; in v. 24, Chad. See note in Haddan and Stubbs, iii. 108.

former kingdom than to actual precedence. For he would naturally withdraw from Kent when he was passed over even by Oswy in the choice of Wigheard as archbishop (667), and Jarumnan was still living and bishop in Mercia in 667. Indeed Bede, who knows nothing of Wilfrid's work there, makes Chad accept Mercia 'on Jarumnan's death' (*mortuo Jarumnano*) in 669. If Wilfrid had been asked to settle in Mercia he must have declined, for the coming of Theodore gave him the prospect of a richer prize and found him on the watch at Ripon. Chad's ways dissatisfied him as was natural (Eddi, § 15), and he had good reason to think that he could turn the reforming zeal of Theodore to his purpose. The archbishop would naturally prefer to the Scotch monk a Roman pilgrim, a pupil and *protégé* of Agilbert, and one whose labours had been already brought to his notice in Kent.

So when Theodore came to Northumbria he came with such prejudice that *primo ingressu regionis illius rem contra canones male gestam a veris testibus* (? Wilfrid) *audivit, quod, praedonis more, episcopus alterius episcopi sedem praeripere ausus sit; indigneque ferens Ceaddam episcopum de sede aliena iussit deponi*. Then Chad *peccatum ordinandi a Quartodecimanis in sedem alterius plene intelligens poenitentia humili secundum iudicium episcoporum* (i.e. Theodore and Wilfrid) *confessus emendavit et cum consensu eius in propriam sedem Eboracae civitatis sanctum Wilfridum episcopum constituit*. But Wilfrid knew that Wulfhere was disposed to give the Mercian see *aut sibi metipsi aut alio cuicunque valuisset*, and as Chad was *in omnibus rebus episcopis obediens, per omnes gradus ecclesiasticos ad sedem praedictam eum ordinaverunt* and sent him to Mercia (Eddi, § 15).

Thus Eddi, who, it will be seen, asserts that Theodore and Wilfrid acted in concert, that Chad's orders were not recognised, and that he owed his Mercian see to Wilfrid, though it is significantly admitted that Wilfrid received York with Chad's consent. Now this story is not only intrinsically improbable, but it is contradicted by Bede in nearly every detail. He says (iv. 2) that Theodore told Chad he was not *rite consecratus*, perhaps in the same way that Finan's church at Lindisfarne was not satisfactorily dedicated (Bede, iii. 25). Chad's answer shows that he thought whatever fault there might be was in himself. *Si me nosti episcopatum non rite suscepisse, libenter ab officio discedo; quippe quae neque me unquam hoc esse dignum arbitrabar, sed obedientiae causa iussus subire hoc quamvis indignus consensi*. There is no trace here of Eddi's *peccatum intelligens*. Then Theodore, touched with his humility, *dixit, non eum episcopatum dimittere debere; sed ipse ordinationem eius denuo catholica ratione consummarit*. A man cannot *dimittere* what he never had, therefore Theodore recognised Chad's *episcopatum*. Of Wilfrid's co-operation Bede knows nothing, nor yet of ordination 'through all grades.'

Of the substitution of Wilfrid for Chad at York, Bede is significantly silent. In v. 19 we learn only that Chad *ad monasterii sui, quod est in Lestinghan, curam secessit, accipiente Wilfrido episcopatum totius . . . provinciae*. In iv. 3 Wulfhere on Jarumnan's death asked Theodore to give him a bishop *sibi quoque suisque* and Theodore asked Oswy to give them Chad, who then *in Lestingau quietam vitam agebat, Wilfrido administrante episcopatum Eboracensis ecclesiae*. Chad was therefore still a Northumbrian bishop, since Oswy's consent was necessary to his translation to Mercia.

Wulfhere naturally turned to Northumbria for a successor to Jarumnan, and it accorded with Oswy's policy to leave the choice to the new primate, whose power he wished to be as unquestioned in the church as he hoped to make his own in the state. He therefore would consent to Theodore's wish to substitute Wilfrid for Chad. Through his whole archiepiscopate Theodore never hesitated to remove any subordinate. He knew as yet nothing of the personal character of either bishop. The prestige of his Roman journey, the influence of Agilbert, and his work in Kent secured for Wilfrid Theodore's hasty decision. But though quick to act he was keen soon to see that Chad could ill be spared, and he welcomed a field for his activity in Mercia. Bede's story therefore involves no improbability, and the motives for the conduct of each actor in it are clear and sufficient. But the sudden change of subject in iv. 2, the abrupt return to the accomplished fact in iv. 3, and the prudent silence of v. 19, show that Bede chose not to tell all he must have known. Perhaps he thought the matter discreditable to Theodore or to Wilfrid. He seldom spoke ill of a churchman; but he was always honest and would not wrench history to his purpose. We have seen already too much reason to think that Eddi had no such scruples. Where one of them must have erred we shall suspect the biographer rather than the historian.

Eddi tells us that Wilfrid found the cathedral at York so dilapidated that *horruit spiritus eius in eo quod domus Dei et orationis quasi speluncam latronum factam agnovit* (§ 15). Bede knows nothing of this, and the whole is clearly an exaggerated statement of the contrast between Chad's severe simplicity and Wilfrid's continental ideas. The account of Ripon (Eddi, 16), which he compares to the Tabernacle, is bombastic, though the dedicatory feast contains a touch of nature, as does the elastic claim to the endowments of the British church, which could not then be identified and seem to have been among the causes of his expulsion in 691. It is significant that Eddi thought worthy of a place in his panegyric (§ 18), the tale of a resuscitated child whom the mother promised to make a monk at seven years, but *malevolo suadente marito videns elegantem puerum contempsit fugiens de terra sua*. The bishop's prefect found the fugitive among the Britons, *coacte abstraxit, episcopumque*

contulit, who made him a monk at Ripon. Of all these things Bede is silent; on the other hand he alone tells of Oswy's asking Wilfrid to guide him to Rome *promissa non parva pecuniarum donatione* (iv. 5).

Egfrid, *rex religiosus* (Eddi, § 19), and the virgin queen Æthelthryth were now *in omnibus obedientes* to Wilfrid Wulfhere, who in sec. 14 was *mitissimus*, is now *superbo animo et instabili corde*, and wages war *non regente Deo* (§ 20). In his greatly enlarged diocese Wilfrid was now *omnibus gentibus carus* and *in omnibus locis presbyteros et diacones . . . abundanter ordinavit*. Secular princes gave him their sons to educate, abbots and abbesses (we know of none save in Scottish foundations) *aut sub suo nomine secum substantias custodientes aut post obitum suum haeredem illum habere optantes voto roverunt*. And yet *haec omnia facem invidiae et odii in pectoribus multorum, flante diabolo, accenderunt* (§ 21). Still the queen's generosity enabled him to build Hexham, where his sanctity was shown by a cure, though he was helped in it, *medici alligantes pannis ossa confracta* (§ 23). At last the devil, *consueta arma arripiens, vasa fragilia muliebria quaesivit*, namely Irmenburga, Egfrid's second wife (though how he came by her and was obliged to forgo Æthelthryth Eddi is constrained to ignore), who then *invidia torquebatur*, though afterward she became *de lupa agna Dei et perfecta abbatisa materque familias optima* (§ 24). Now, however, she was a *venefica* who shot poisoned arrows, like impious Jezebel, into the king's heart, telling of Wilfrid's *gloriam saecularem et divitias*, and of his great retinue. Then both, intent on plundering the church, *ad auxilium suae vesaniae archiepiscopum Theodorum cum muneribus, quae excaecant etiam sapientium oculos, contra Dei voluntatem invitarerunt*. *Veniente vero archiepiscopo ad eos quid mente agerent in contemptu eius patentes et sine aliquo culpandi piaculo inique damnare quod absit consensit*. *Nam tres episcopos aliunde inventos et non de subiectis illius parochiae in absentia pontificis nostri in sua propria loca episcopatus sui noviter inordinate ordinavit* (§ 24). Wilfrid objected, and they answered: *Nullam criminis culpam in aliquo nocendi tibi ascribimus sed tamen statuta de te iudicia non mutamus*. *Ille vero episcopus noster tali iudicio fraudabili (non) contentus cum consilio coepiscoporum suorum* (who can these have been?) *iudicium apostolicae sedis magis elegit* and, prophesying evil, prepared to leave the country, no one hindering him. Thus far Eddi. It is worth noting that he says nothing of Wilfrid's sending legates to Hertford (Bede, iv. 5), whose ninth canon would have compromised his hero's position, while their presence there acknowledged Theodore's primacy. In sect. 30, Wilfrid is made to state that Theodore acted *absque consensu cuiuslibet episcopi . . . me humilitate non acquiescente*, but there was no other bishop in Northumbria.

The conduct of the king and bishop as given here lacks due motive. Bede and the biographer of Æthelthryth suggest the truth and serve to correct Eddi's errors of fact. In iv. 12 Bede says: '*Orta inter . . . Egfridum et . . . Wilfridum dissensione, pulsus est*, Bosa and Eata being made bishops of Deira and Bernicia with Eadhed for Lindsey. All these were Northumbrian monks, not *aliunde inventi*. In iv. 19 he tells how the whim of the fantastic queen so annoyed Egfrid that he *promiserit se ei* (sc. Wilfrido) *terras ac pecunias multas esse donaturum si reginae posset persuadere eius uti conubio quia sciebat illam nullum virorum plus illo diligere*. Wilfrid must have approved of her going to Coldingham for he gave her the veil there, and of her flight to Ely, where he often visited her and was present at her first exhumation (Bede, iv. 19; Vit. Ethel. 15, 18, 22, 23). Surely this might excuse the king's *invidia*, and if Wilfrid refused to recognise the second marriage during Æthelthryth's life, Irmenburga's dislike would be explicable. Theodore needed no 'bribe' to second the king's wishes. His declared policy was to divide all the dioceses; York was the largest of all, and he was but pursuing his own policy in gratifying the wish of the king. He had put Wilfrid in his seat and felt as free to deprive him of it as he did to deprive Winfrid or Tunbert or Chad. Egfrid would be a meeker man than Bede or Eddi paints him had he consulted Wilfrid, and Theodore was not used to advise where he could command. He was too judicious, however, to use the *famosum verbum* that Eddi attributes to him and to the king (§ 24). Courtiers would naturally laugh at Wilfrid's discomfiture; but if his popularity was such as Eddi represents (§ 21), it is strange that none espoused his cause. The *multa millia monachorum suorum* might weep and lament (§ 25), but they did nothing to help him then or later.

Bede ignores Wilfrid's Frisian adventure in iv. 13, saying only *multa diu loca pervagatus Roman adiit, Britanniam rediit*. In v. 19 he seems to be condensing Eddi (§ 26), but he says nothing of the *inimici* (Eddi, § 25) who sent from England to Theodoric, Ebroin, and Bertharius, offering them bribes to detain him, though they might without difficulty have prevented his departure, (Eddi, §§ 25, 28). As far as the French were concerned there was no need of such inducements. Both had old scores to settle with Wilfrid on account of Dagobert (Eddi, § 28). This, or Bede's unfavourable wind, would account for his landing in Frisia. Bede moderates somewhat the obvious exaggeration of Eddi's account of his success there. Willibrord did more than 'complete' (Bede, v. 19) the work of Wilfrid. It is less than a half-truth however to represent the former as *filius eius in Hripis nutritus* (Eddi, § 26), for Willibrord though born near Ripon, left it at twenty, passed thirteen years in Ireland, and, as his life testifies, found in Frisia little trace of Wilfrid's work or influence. (Vit. 6, 8, *seq.*).

Bede (iv. 6) seems to contradict Wilfrid's continental adventure (Eddi, § 25), and knows nothing of Theodore's legate, Coenwald, at Rome. Both are silent of a synod (Haddan and Stubbs' 'Councils,' iii. 131–135) held at Rome after Wilfrid's arrival, which fixes Theodore's relations to the English bishops, but says nothing of Wilfrid. It shows that some dissension had arisen over Theodore's reorganisation of the bishoprics, so that Coenwald's presence at Rome need have had no reference to Wilfrid. Haddan and Stubbs (l. c.) suggest that this may perhaps have been the version accepted at Canterbury of the synod described in Eddi (§§ 29–31). If Eddi's version be accepted, Wilfrid's plea (§ 30) was somewhat disingenuous, and the synodal decision which he reports (§ 32) is contrary to that on Theodore's authority ('Councils,' iii. 131). Bede says only: *universorum iudicio absque crimine accusatus fuisse et episcopatu esse dignus fuisse* (v. 19). Eddi says nothing of an 'accusation,' and makes the synod say: *episcopatum quem nuper habuerat recipiat* (§ 32). Here Eddi's version is probably to be preferred. It is worth noting that Wilfrid here confessed the catholic faith of Britons, Scots, and Picts (Eddi, § 51; Bede, v. 19).

As to what happened on Wilfrid's return Bede is circumspectly silent. *Propter inimicitias memorati regis in patria sive parochia recipi non potuit* (iv. 13) is all that stands for Eddi 33–40. In v. 19 he says only: *reversus Britanniam provinciam Australium Saxonum . . . convertit*. Eddi says Wilfrid returned after adventures by the way (§ 33), *vexillum victoriae ferens* (§ 34), but Egfrid and his council said *pretio redempta essent scripta*. It is surprising how large a part bribes play in Eddi's story. Then follow the imprisonment, ill-treatment, and miracles; of course to be received with great caution. Irmenburga, the friend of St. Cuthbert, is compared to the Philistines, *arcam Dei captantes*, because she kept a reliquary he had brought from Rome always by her. She seems to have been already a devout woman. In § 34 Eddi tells us *nullum ad se ex amicis eius adire . . . percepit*; in § 35 the imprisoned Wilfrid makes a set speech to his companions. In § 36 the king tries to bribe him with part of his episcopate *et dona alia non mediocriter* if he would deny that his canons were genuine and *iussionibus et censuris eius acquiescere*, which seems to show that Egfrid was willing to yield all he could without sacrificing what had been gained and the support of more useful bishops. Abbess Ebba is authority for the miracle in § 37, and it is probable that she, rather than any *daemon*, was responsible for the nocturnal chastisement of the queen at Coldingham, which she used to secure Wilfrid's release. The story smacks of pious fraud, but it may be an invention of Ebba or of Eddi. She had been a partisan of Wilfrid in Æthelthryth's case.

No doubt the king was glad to get Wilfrid out of the country and to see him pushed on from Mercia to Wessex and Sussex, by no

means because *non tamen ab evangelizandi potuit ministerio cohiberi*, as (Bede, iv. 13) charitably supposes. Bede passes over his mission here in v. 19, and in book iv. has an independent account apparently from Acca. Neither seems wholly trustworthy. According to Bede king and queen were already Christian, and there was a small Scottish mission at Bosham. Wilfrid baptised the chief men only; four priests the *caeteram plebem*, then or afterwards (iv. 13). Eddi implies that Wilfrid converted the king. *Primum regi et reginae verbum Dei . . . leniter suadens praedicare coepit*, and afterwards *quidam voluntarie, alii vero coacte regis imperio . . . baptizati sunt* (§ 41). The appeal to Benedict II (§ 46) must have fallen in this interval. Bede is silent about this and the persecution; Eddi knows nothing of Bosham, or of the fishers, or of the manumission of serfs at Selsey.

A more curious contrast is afforded in their accounts of Caedwalla. Bede, in essential accord with the Chronicle, knows nothing of his connexion with Wilfrid save that he, *quamvis necdum regeneratus*, promised a fourth part of Wight and of his booty to God and gave them to Wilfrid. He tells us how this *iuvenis strenuissimus interfecit regem Aedilulach ac provinciam illam saeva caede ac depopulatione atteruit* before he became king of Wessex, and afterwards reduced it *gravioere servitio*. In Wight *omnes indigenas exterminare . . . contendit*, killing two noble christian youths (iv. 15, 16). It is with some pain therefore that one learns from Eddi that during all this time Caedwalla *sancti parentis nostri amicitiam diligenter proposcens ut ei esset in doctrina et auxilio pater fidelis et ille ei filius obediens voto rovens promisit, quo pacto initio, teste Deo, veraciter compleverunt. Nam sanctus antistes Christi in nonnullis auxiliis et adiumentis saepe anxiatim exulem adiuvavit* (§ 42). If it were true that these were his relations to Wilfrid when he killed Ethelwalh (Bede, iv. 15), Wilfrid might seem guilty of ingratitude and treason to his royal patron. It is safer to justify him at the expense of his biographer, though it is certain that he enjoyed great favours from the triumphant Caedwalla, who *in omne regno suo excelsum consiliarium mox illum composuit, sicut rex Egypti Ioseph de carcere educto . . . constituit eum dominum domus suae*, presenting him with *innumeris terrarum partibus et muneris donorum* (§ 42). Doubt is cast on the accuracy of Bede's informant by the statement that there had been no rain in Sussex for three years (iv. 13). Eddi too was not present and relied on hearsay. He does not so much as mention Wight. It is hard therefore to judge of Wilfrid's success here, but Bede implies in iii. 16 and iv. 15 that Caedwalla's raids, followed by Ine's, and the absence of a bishop, caused a relapse on Wilfrid's departure.

The accounts of Wilfrid's return from Sussex differ even more widely than those of his mission there. In v. 19 Bede says:

secundo anno Aldfridi . . . sedem suam et episcopatum ipso rege invitante recepit. In iv. 15: revocato domum Wilfrido. Bede did not tell all he knew, but it would be unsafe to fill the gap from Eddi, who says (§ 43) that Theodore auctoritatem apostolicæ sedis . . . metu agitante honorificans cum beato episcopo nostro . . . amicitiam inire diutius moratus non distulit. Nam cum . . . frequenti infirmitate anxius est ad Lundoniam . . . Wilfridum et Erconwaldum . . . ad se invitavit, and made a confession to them of his whole life, saying: et hoc maxime scrupulum me premit quod in te, sanctissime episcope, commisi consentiens regibus sine causa peccati propriis substantiis spoliantibus te et moerentibus subiectis tuis in longum exilium terminantibus, heu, proh dolor, omnis mali. Then he called God, St. Peter, his co-bishops, and all his regal and princely friends, to witness ad amicitiam tuam proh remissione peccati mei, for he knew that he would soon die. Et ideo te adiuro per Deum et S. Petrum mihi consentire ut in sedem meam archiepiscopalem superstitem et haerodem vivens te constituam. But this Wilfrid declined, reminding Theodore that his successor should be chosen in maiori concilio. He made his demand imperative. Et modo mitte nuntios cum litteris ubique ad amicos tuos ut . . . partem aliquam substantiæ meæ restituant. Eddi gives Theodore's letter to Ethelred, and says he wrote also to abbeß Elfred and King Aldfrid who invited his return (§§ 43–44). The letter to Ethelred, however, says nothing of a meeting with Wilfrid and confesses no penitence, for which indeed he could have seen no cause in the good estate of the Northumbrian and Mercian sees. He says: Pacem me in Christo habere cum . . . Wilfrido; et idcirco te . . . admoneo ut eius sanctæ devotione quantum vires adiuvant . . . patrocinium sicut semper fecisti quamdiu vivas impendas; quia longo tempore propriis orbatus substantiis inter paganos pro Domino multum laboravit (§ 43). Eddi attributes the favour of Ethelred to this letter and auctoritatem . . . Agathonis . . ., Benedicti, Sergique; but Sergius was not yet pope in 686. Aldfrid recalled Wilfrid secundum praeceptum archiepiscopi (§ 44). That supplies a motive for his action, which is wanting in Bede; and this may be accepted, though the account of the interview at London is disproved by the tenor of the letter. It seems probable that the aged legate, wishing to smoothen his successor's path and finding Wilfrid brought into prominence by Caedwalla's success, embraced the occasion of Egfrid's death to arrange for his return and met him on his way northward to agree with him on its conditions.

Of the *multos annos* (Eddi, § 45), that is five years, that followed his return, Bede says only: *sed post quinque annos denuo accusatus ab eodem rege et plurimis episcopis (i.e. Eadbert, John, and Bosa) praesulatu pulsus est* (v. 19). Eddi (§ 44) says he got the monastery at Hexham and after a time *propriam sedem episcopalem* at York and the monastery at Ripon, *expulsis de ea alienis episcopis*. But he

got Hexham because Eata was dead, and was obliged to surrender it to John when Bosa made way for him at York. Eadhed, who left him Ripon, had been expelled from his diocese in 679, and exercised no territorial jurisdiction there (Bede, iv. 12). Bosa alone was 'expelled,' or rather forced to resign; for both he and Eadhed remained in the kingdom, and Wilfrid recovered but a fragment of his diocese; but we should look in vain for a hint of this in Eddi. He knows nothing of what Wilfrid did during the next five years, save that *iterum in concordia et iterum in discordia . . . viventes manebant*, and we learn from Bede only that he administered Lindisfarne after Cuthbert's death for a year that brought such a 'breeze of trial' to the monks that 'many thought to leave their home rather than dwell there at the risk of expulsion.' (Vit. Cuthb. 40; cp. de Mirac. Cuthb. 37 and Bede, iv. 29.) It is curious to note that both Bede and Eddi tell the more of Wilfrid's good deeds the further he was from Northumbria and their own observation.

In 691 he was again expelled. Bede gives no reason and no excuse. Eddi gives three (§ 45). The king had confiscated lands, perhaps those claimed from the British church; he wished to make Ripon an episcopal see, perhaps to provide for Bosa or Eadhed and the better administration of the church; and demanded that Wilfrid should obey the decrees that Theodore *mediis temporibus suis quando discordia inter nos in Brytannia exorta fuerat statuit*. There was no reason why he should not, unless he was aiming at a coordinate primacy. Perhaps the king thought to check his restless ambition by pushing the division of his still vast see.

Of the twelve years following the expulsion, Bede says not a word in v. 19. He brings Wilfrid immediately to Rome. Yet he knew that Wilfrid was in Mercia, for he mentions the consecrations of Offfor and Swidbert by him (iv. 23, v. 11). Eddi tells us that Wilfrid succeeded Saxulf at Leicester (in 691), but knows nothing of Offfor, Swidbert, or Hedda ('Mon. Hist. Brit.' 624; Eddi, 45). Nor does he explain how it happened that in 702 Northumbrian legates should have come to him *rogantibus humiliter ut eorum obtutibus dignaretur praesentari promittentes . . . statuta canonica de antiqua fraude rationem se reddituros* (Eddi, § 46). The course of the synod shows that the summons was not *humiliter*. Eddi himself says that the king and some abbots fostered the opposition of the 'avaricious' bishops, namely Bosa, Eadfrid, and John, to whom Wilfrid responded *multis et duris sermonibus* (§ 46), and though the bishops *totius paene Britanniae* were there he found no clerical support. This alone would have induced a person of his disposition to refuse to recognise their jurisdiction without the secret warning of which Eddi tells (§ 47). They threatened to deprive him of all his possessions in Northumbria and Mercia, and finally offered him Ripon under somewhat humiliating conditions. When he appealed to Rome the king

Aldfrid, offered to enforce his obedience, and the archbishop thought his action *culpabilis*. The bishops, restrained by their safe-conduct, let him depart.

Such terms could not have been offered to Wilfrid if he had been sure of Mercian support. They proposed to take from him all his endowments there, but said no word of the see of Leicester, and when he returned to Mercia it was to ask the king not about the bishopric, of which there was no further question, but *qualiter decrevisset de possessione terrarum propriarumque facultatum quae ab ipso donata sunt ei*, and the king's answer was lukewarm (§ 48). Eddi does not confine the bitter feeling of which he tells in § 49 to Northumbria. There seems therefore to have been no party in England urging Wilfrid's cause. Either papal intervention, which one may connect with Sergius' letter to Ceolfrid ('Councils,' iii. 248), or a desire to deprive Wilfrid of what remained to him in Northumbria can alone account for the calling of the council. The former is more probable. The English clergy would obey the letter of the papal wishes, but would contradict their spirit where Wilfrid was concerned.

It must have been on his way to Rome that Wilfrid met Willibrord; where, Bede does not say (iii. 13). Eddi, though mentioning Willibrord in § 26, is silent as to this; but he has little to say of the journey, perhaps because it was *pedestri gressu* (§ 50). Bede's account of the transactions at Rome seems condensed from Eddi 50-54, though he corrects Eddi's *xl et eo amplius annos* of Wilfrid's episcopate to *quadraginta prope annos* (v. 19), essentially moderates Boniface's zeal, and is careful to qualify with *nonnulla in parte falsas contra eum machinasse calumnias*. There seems no reason to doubt the general correctness of Eddi's report, coloured though it be. But if he received the decision *triumphali gaudio* (§ 53) he would not have been so reluctant to return to England (§ 55). Eddi's story of the return is condensed by Bede, who omits parts of the vision. (Eddi, § 56; Bede, v. 19). According to Bede the archbishop received Wilfrid *libentissime*. This is not likely, but quite as much so as Eddi's version that he was *coactus et per nuntios scriptis directis territus est et tremebundus*. No doubt he wished to stand well both with pope and king. That Aldfrid should have been at first disposed to receive Wilfrid, though stated only by Eddi (§ 58), accords with his peaceful disposition and declining strength. When at last he refused, it was with a courtesy to which Wilfrid was little used in England (§ 58). It is probable, therefore, that he desired some amicable settlement during his last days, though Bede ignores this, and the abbesses, Elfled and an unknown Ethelburga, or Eddi for them, could embellish these edifying sentiments to their purpose. The accession of a strong king immediately restored unbending opposition (Eddi, § 59).

The successful conspiracy which raised the boy Osred to the throne brought Wilfrid's friends to power, and may not have been wholly without his complicity. We know that Wilfrid hastened to Ripon on Aldfrid's death (Eddi, § 59) and that Osred was *pontifici nostro filius adoptivus*, though he did little credit to his spiritual father. But though the regent was his partisan, the synod at the Nidd brought Wilfrid only a Pyrrhic victory. Eddi's account (§ 60) cannot conceal the opposition to him which clergy and people must have shared. Elfled acted in the interest of peace, but this pupil of Hilda, who had sent messengers to Rome *ad eum accusandum* in 679 (§ 54), can hardly have been his warm ally, and the result of her mediation and the archbishop's (§ 60) shows that all were disposed to minimise his claims, deferring in appearance to the papal wishes but allowing him in reality little more than he had rejected at Austerfield. Nothing in Eddi's account of Wilfrid's last years and death seems inconsistent with his former life. Here Eddi had too many fellow witnesses to make important errors, though perhaps the promise of Ceolred *omnem vitam suam meo iudicio disponere* (63) should be received with caution, unless Wilfrid wished a third pupil like Caedwalla and Osred (cp. Bonifatii Ep. 55, ed. Jaffé). Eddi omits the episode that called out Bede's letter to Plegwin.⁴ The miracles and *mirabilia* of Eddi 65-67 are the usual ones and call for no comment.

In looking back over the whole course of Eddi's narrative, the conclusion seems to me justified that while he had ample sources of information, great admiration for his subject, and some talent as a writer, he was not a conscientious historian. He did not hesitate to suppress and to distort inconvenient facts. He was uncharitable, and sometimes certainly unjust in attributing evil motives to others. Throughout he is advocate, not judge, and pleads his patron's cause with more zeal than discretion. If this conclusion be accepted, the received view of the character of Wilfrid and of his place in Northumbrian history may perhaps be found to require material modifications.

BENJAMIN W. WELLS.

⁴ The *Dict. of Nat. Biogr.* asserts, iv. 10, that the Wilfrid who suffered Bede's orthodoxy to be aspersed was Wilfrid II of York (718-732), but Bede's letter was written five years after the shorter chronology, which ends with 702 and cannot be placed as late as 713. Moreover before 718 Bede's reputation as a theologian was too firmly established to be called in question, and he had less reason to justify himself in the eyes of the bishop of York, who was not his diocesan, than in those of the bishop of Hexham who was.

THREE LETTERS WRITTEN TO DOROTHY, LADY PAKINGTON.

THE following three letters, now in the possession of Lord Hampton, belong to the time of the Restoration, the most critical period in the later history of the Church of England. The first refers to the death, a week earlier, of Dr. Henry Hammond, one of the most learned of the Caroline divines, whose life was soon afterwards written by Fell, at that time dean of Christ Church and afterwards bishop of Oxford, the man who did so much to promote the study of theology and to whom we are indebted for the publication of the greatest post-Reformation work that the English Church has produced, the 'Defensio Fidei Nicaenae' of Bishop Bull. It is written by George Morley, who succeeded to the bishopric of Worcester, which had been designed for Hammond, and who was afterwards translated to Winchester. He was a man of very high character, but, unlike the other divines who followed in the steps of Laud, never quite shook off the Calvinism which had been prevalent in the church during his younger years. The allusions in his letter are to the efforts being made at the time which bore fruit at the Savoy conference in the following year to remodel the church of England and to bring back a more catholic tone to the Book of Common Prayer.

The second is from Sir Philip Warwick, and is very interesting as showing the influence that Hammond exercised over others in matters of religion and conscience.

The third is from a very remarkable man, who was content to work for the church quite in the background, doing all he could to promote the consecration of bishops which had been projected a few months before the Restoration. He is wrongly described in the indorsement of the letter as bishop of London. It was probably the want of health, which he speaks of in this letter, which prevented his accepting any bishopric. At the time of writing this letter, which is not dated, but must belong to the year 1664,¹ he was dean of St. Paul's, a post which he held from 15 Oct. 1661 till his death in 1664.

NICHOLAS POCOCK.

Copy of a Letter from Dr. Morley to Dorothy, Lady Pakington, on the Death of Dr. Hammond, 1 May 1660.

Madame,—I have received yo^r sad relation of y^e death of y^e man of God o^r deare friend for whose sake (next to yo^{rs}) I desired to returne into mine own country, and yet (what adds much to my greife for his losse) I might and did not see him, nor take my last leave of him. Perhaps some of his spirit by God's mercy might have rested upoⁿ me if I had bin by him and seen him and spoken wth him, as Elisha did with Elias when

¹ The date is established by the reference in Pepys' *Diary*, 25 July 1664, to 'the King's commission for the repair of St. Pauls.' See also the *Life of Barwick*, p. 333. arwick did not live at Chiswick until 1663.

he was taken away from him. Howsoever I hope he remembered me in his last devotions, and y^t I shall find y^e effects of them. I wish wth all my heart I were wth you to condole o^r common losse together. But alas such is my misfortune y^t my duty crosseth my inclination, and you know y^t all private respects must yeild unto the publick; w^{ch} though I cannot advance much, yet I must doe what I can towards it, and give weekly once at least y^e best account I can of it. This binds me to a continuall Residence in this place for y^e present and will doe soe for some tyme longer; but assoone as y^e king's and y^e Churches service will dispense with me I will make what hast I can to come down to you as well to receive comfort from you as to give it to you. In y^e meane tyme let us jointly implore y^e Sovereigne giver of all good and perfect gifts to dispense such a measure of comfort and grace to us as is needfull for us. For this Madame as I am sure I have yo^{rs} So you may be sure y^t you have my dayly prayers, there being noe other way for me to expresse myself.

Yo^r Lad^{ps}

humble & faithfull Serv^t

GEOR: MORLEY.

Lond. May 1, 60.

This letter is directed 'For y^e Lady Pakington at Westwood in Worcestershire. Leave this with the Postmaster of Droitwich to be sent as above,' and endorsed 'May 1. 1660. Morley Bishop of Winchester to Lady Pakington on the death of Dr Hammond.'

Copy of a Letter from Warwick to Dorothy, Lady Pakington, 8 May 1660, on the Death of Dr. Hammond.

Madam,—Though I know the christianity you have to master all passions yet I would neither revive yours nor give way to my owne, nor beleive either of our reasons have the sway of us yet. I know we loved the beloved Man of God both upon one score, I beseech God that in our lives his works may make us retayne comunion with that Sainte, that may lead us to the generall comunion of Saints. Madam there is noe body for your selfe, nor from the esteeme that good man had of you, is more humbly your Servant thⁿ He that owed as much to Dr Ham^d in spiritualities, as he did to his owne father in naturals. I beseech y^r La^p beleive me,

Your most faithfull

& humble Servant

P. WARWICK.

May 8, 1660.

Copy of a Letter from Dr. Barwick, Bishop of London, to Dorothy, Lady Pakington.

Chiswick July 16.

Madame,—Yo^r La^{ps} Lett^r of the 7^o (I know not by what mischance) did not reach me till last night. It is true indeed I have had a stumble in my recovery of late but I know not to what to ascribe it beside the good pleasure of God. Only this I find that every alteration of weather has an influence upon me, and I am allwayes worst when the wind is Northerly,

which it hath been for the most part ever since the beginning of Novembr. When business goes on as it should it is rather a divertisem^t then a trouble to me, but because there is not much of that I withdraw myself from all excepting what necessity brings upon me. I find myself every day more & more unfitt for secular business. I pray God fitt me for the better part. When the Parl^t rises the Co^mission for the repairs of S. Paul's wilbe sett on foot; there is a great burthen by it incumbent upon my place: if I find the one too heavy for me, I must leave the other to some of more abilities. My humble service to S^r John and all yo^{rs}. I comend you and them in my hearty prayers to the Blessing & Protection of Almighty God (Madame) yo^r La^{ps} much obliged and most humble Serv^t.
JO. BARWICK.

This letter has no date of the year. It is directed, 'These for the Hon^{ble} the Lady Pakington at Westwood in Worcestershire to be left with the Post Master of Droit: Wich,' and is indorsed 'Dr. Berwick, Bishop of London.'

Reviews of Books

Etudes sur l'Administration Byzantine dans l'Exarchat de Ravenne
(568-751). Par CHARLES DIEHL. (Paris: Thorin. 1888.)

THIS scholarly and attractive book appeared in France shortly before a German work on the same subject by Dr. Hartmann, which has already been noticed in this Review (v. 579). Though in several cases the researches of the two writers have led them to similar conclusions, their treatment of the subject is very different. If the German work can claim the merit of being a very precise, clear, and simple monograph on the administrative system of Byzantine domination in Italy, the work of M. Diehl is more comprehensive, and from its wider conception may better claim to be called a history of that administration.

The life of the Byzantine government in Italy has been subjected to a slow and continuous process of transformation, which may be easily explained by the fluctuating circumstances of the peninsula, especially during the first period of the Lombard conquest. Under the pressure of those circumstances, rather than by a general system of reforms, the old civil circumscriptions were slowly changed into great military governments, particularly on the frontiers, and imperial Italy became more and more assimilated to the eastern provinces of the empire. To the old provinces of the fifth century new territorial divisions were substituted, and a strong military government—that is, the exarchate of Ravenna—was established. As was natural, these new divisions had to be administered by a new sort of officials, and the military element, which had become prevalent over the civil, ended by taking its place altogether. The complicated machinery of this new system, originating in the need of protection for the exarchate both from internal and external enemies, answered its purpose on the whole for a long time. The exarchs, following the old Roman traditions, never failed to use either arms or diplomacy for the security of the imperial possessions, while they never spared any effort to give an absolute preponderance to the Greek elements in everything, and to assimilate as much as possible the Italian to the Hellenic populations.

These persevering efforts failed, however, in the end, and it is interesting to trace the reasons of this failure. These reasons, according to M. Diehl, are chiefly to be found in the slow evolutions which by degrees turned Byzantine officers into great territorial proprietors, in the social and political transformation of the Italian towns, and above all in the steady

growth of the papal power and in the action of the Church which continually undermined the Greek elements in Italy. It would be impossible in this short notice to criticise or even to follow M. Diehl in all the details of his work, whose main lines we have tried to point out here almost in his own words, and we must content ourselves with calling the attention of English readers to a book worth reading, both for its sound scholarship and the clearness of its exposition. The volume, which appears among the publications of the French school of Athens and Rome, reflects the greatest credit on the school of Rome in particular, and in general on the admirable results of French teaching of history. UGO BALZANI.

Pope Gregory the Great. By F. W. KELLETT. (Cambridge: University Press. 1889.)

The Holy See and the Wandering of the Nations. By THOMAS W. ALLIES, K.C.S.G. (London: Burns & Oates. 1888.)

Peter's Rock in Mohammed's Flood. By the same Author. (London: Burns & Oates. 1890.)

MR. KELLETT'S dissertation deals only with the church in Gaul, and in particular with Gregory's relations to it. The essay itself extends over only eighty pages, but in this short space, while there is nothing superfluous, no point of real importance appears to pass unnoticed. Mr. Kellett does not profess to have made fresh discoveries: the principal original authorities of which he makes use are Gregory of Tours and the letters of Gregory the Great. But he has consulted the best modern works on the history of the papacy and of Gaul, and has produced a thoroughly interesting and instructive essay, which will be found perfectly clear and intelligible by those who have no previous knowledge of the subject, and suggestive even by those who have studied it minutely. It begins with a masterly sketch of the ecclesiastical history of Gaul down to the time of Gregory's accession to the papal throne, and a description of its political condition at the period of his pontificate. The bulk of the essay is devoted to a careful examination of all Gregory's letters which relate to Gaul, and it concludes with a general review of the motives, methods, and success of his policy. An appendix contains a sketch of the relations of the Franks with the papacy from the death of Gregory the Great to the coronation of Charles the Great. It will thus be seen that the essay has an aim and a completeness of its own, and that it is not one of those monographs which isolate a minute portion of history, and discuss its details apart from all considerations which can make them worth attention. It should be added that all debatable questions are discussed in a tone of studious fairness and moderation.

'The Holy See and the Wandering of the Nations' is a work of a very different character. It forms the sixth volume of a series entitled 'The Formation of Christendom,' and it embraces the period from Leo the Great to Gregory the Great. It can hardly be regarded as a serious contribution to history. Mr. Allies does not claim to have consulted original authorities, with the exception of the papal letters, from which he makes copious extracts and paraphrases. He relies for his facts upon some

modern histories, among which the epoch-making work of Röhrbacher holds a prominent place. But the whole aim of the book is undisguisedly controversial. There is nothing, of course, to be said against this, but it is certainly unfortunate that in a controversial work Mr. Allies should fail to make it clear to his readers in the first place what theses he intends to uphold, and in the second place by what arguments he intends to support them. Something is certainly meant to be proved with regard to the papacy. A large part of the book is occupied with quotations from the papal letters in which the popes claim to be the successors of St. Peter, and the fact that they did so is emphasised again and again. But Mr. Allies can hardly have thought it necessary to write a large volume in order to prove that this claim was made by the popes of the fifth and sixth centuries. In one passage he appears to announce as his subject the position that various events in secular and ecclesiastical history would have destroyed the primacy of the popes if it had not been divine. But granting that this proposition is capable of historical proof, a large part of the volume is altogether irrelevant to such an issue. Again, the object of many passages seems to be to show that the claims of the popes in respect of the primacy have always been the same from the earliest ages; but this is not directly asserted, and in one passage we are informed that 'from Constantine and the Nicene council the advance of Rome's primacy is perpetual.' Mr. Allies might perhaps retort that he is not bound to supply his readers with brains as well as arguments; but his work is clearly not intended for the learned, and he might have had a little more compassion on the 'general reader.' A plain man will assuredly carry away from a perusal of this work the impression that—as Dr. Todd says of the books that deny St. Patrick's existence—it abounds in premises from which the conclusions deduced do not follow, and in conclusions which are deduced from no premises at all.

One passage may be quoted as an example of Mr. Allies' method of argument. He is summing up his results at the end of the volume, and on page 346 he writes: 'If the attribution to the pope of the three great words spoken by our Lord to St. Peter, made to Pope Hormisdas by the eastern bishops and emperor, does not prove that they belong to the pope and were inherited by him from St. Peter, what proof remains to be offered? If the attribution is so proved, what is there in the papal power which is not divinely conferred and guaranteed? Neither the first Leo, nor the first Gregory, nor the seventh Gregory, nor the thirteenth Leo, ask for more; nor can they take less.' In this remarkable paragraph we are informed that infallibility resides, not in the pope, but in the eastern bishops and emperor at the time of Pope Hormisdas; for it appears that when they have made a statement, no proof remains to be offered. 'If the attribution is so proved,' Mr. Allies continues. But nothing has been said about proving the attribution; on the contrary, it was the attribution that was to prove the fact. One of the most aggravating features of this bewildering book is the incessant repetition of statements, sometimes serious but often trivial, without any hint at the reason for their continual reappearance. For instance, the statement that Odoacer was the first temporal ruler who interfered in the election of the popes is no doubt important. But why, when the statement had once been made on page 194, should it be

repeated, each time with the air of being a new and original fact, on pages 208, 210, 247, 292? On the other hand, the fact that Odoacer was a Herule does not appear to be of vast importance to the questions which may be supposed to be at issue, and yet Mr. Allies is not contented with emphasising the fact when Odoacer is first introduced on page 23, but he repeats the statement no less than eleven times in the remainder of the volume. So again, in the space of 74 pages the reader, whose memory is evidently supposed to be very short, is reminded nine times that the pope was, in the temporal order, a subject of Theodoric. Mr. Allies himself appears to be sometimes entirely oblivious of what he has written a few pages before. For instance, on page 68 he says: 'At Alexandria Proterius . . . had been murdered in 458. The utmost efforts of Pope Leo and the Emperor Leo were needed to maintain his legitimate successor Timotheus Solofaciolus, against whom a rival of the same name, Timotheus Ailouros, had been set up by the Eutychean party.' The reader who came across this passage would suppose that Timothy the Cat was here mentioned for the first time. He certainly would not imagine that four pages before Mr. Allies had written as follows: 'St. Leo had sent bishops to Constantinople to ask the emperor that he would bring to punishment Timotheus the Cat, who, being schismatical, excommunicated, and Eutychean, had nevertheless got possession of the see of Alexandria. . . . Gennadius joined his efforts with those of the pope, and Timotheus Ailouros was banished from Constantinople to Gangra. Another Timotheus Solofaciolus, approved by Pope Leo, was made bishop of Alexandria.' Which of these discrepant statements does Mr. Allies intend his readers to accept? It would be tedious to multiply instances of this sort of repetition, but one example may be given of the accuracy with which Mr. Allies represents the sense of his authorities. Speaking of the English mission, he writes on page 315: 'From Gregory's own hand, and in virtue of his apostolic power, England in its second spring received its division into two provinces, one to be seated (*sic*) at Canterbury, the other at York. . . . From him date the great prerogatives of the see of Canterbury, extending over the whole island, inasmuch as it was the matrix of the church in England.' Again, on page 336 he writes: 'If Canterbury was primate of all England, and York primate of England, it was by the appointment of Gregory.' Is it possible that Mr. Allies has never read the letter in which Gregory proposes that England should be divided into two provinces, of which the metropolitan sees, of equal dignity, were to be York and London? It is hardly worth while to examine this volume further. Whatever views with respect to the primacy of St. Peter it is intended to uphold, it may be safely stated that the case in their favour has not been strengthened.

'Peter's Rock in Mohammed's Flood' is the seventh, and fortunately the last, volume of the same series. It is not necessary to say much about it. Some light indeed seems to be thrown upon the purpose of the work by the preface, which states that the last three volumes of the series are offered 'as historic proof, from original documents, of the first eight centuries, that the Holy See by the institution of Christ is the Root, the Bond, and the Crown of Christendom.' But as to the precise meaning of this somewhat sweeping statement, and as to the way in which the

volumes in question are supposed to prove it, the reader is still left hopelessly in the dark. The last volume closely resembles the preceding one. There is the same crude mass of undigested and irrelevant extracts, the same vague declamation, the same *ignoratio elenchi*, the same incessant and wearying repetition. The book is useless alike to the historical student and to the controversialist. It will convey and suggest no new information; it will convince no one of anything of which he was not convinced before; it is a mere monument of misapplied and futile labour.

J. H. MAUDE.

Dialogue between a Christian and a Jew, entitled 'Ἀντιβολή Παπικοῦ καὶ Φίλωνος Ἰουδαίων πρὸς μοναχόν τινα. The Greek Text edited with Introduction and Notes, together with a Discussion of Christian Polemics against the Jews. Inaugural Dissertation for the Degree of Doctor in Philosophy in the University of Marburg, presented by ARTHUR CUSHMAN MCGIFFERT. (New York: 1889.)

DR. MCGIFFERT'S pamphlet contains by way of introduction a discussion of the nature of Christian literary controversy with Judaism, and a list of thirty-one Greek and twenty-nine Latin known treatises (some extant and printed, some not) falling under this head. To those there given we can add Abelard's 'Dialogus inter Philosophum Judaeum et Christianum,'¹ and two in manuscript in the library of the university of Genoa (whether printed or not, we do not know): *Ingeti Contardi disputatio cum quibusdam sapientissimis Judaeis doctoribus quae fuit facta Maioricae* A.D. 1286; and another disputation of *Gulielmus Alphachinus* and *quidam sapientissimus Judaeus*. The discussion, too, between Pope Silvester and Jewish doctors in the spurious 'Acta Silvestri' would also merit mention. With regard to the 'Demonstratio adversus Judaeos' of Hippolytus, known to us only by a fragment in the original Greek, Dr. McGiffert, following Harnack and Bunsen, falls into a curious mistake. 'According to Bunsen,² "the anonymous author of the 'Acta Martyrum' gives in appendix iii. (pp. 449-488) the text of an old Latin translation of a considerable part of the fragment preserved to us in Greek. He had discovered it among the spurious works ascribed to Cyprian. The title is 'Demonstratio adversus Judaeos.' It begins exactly with the first words of our Greek fragment, which cannot have been the opening of the address, but was probably the beginning of the peroration. The Greek text forms the first two chapters of this very remarkable fragment.'" Harnack refers to this statement of Bunsen's³ only to add that he is unable to say anything about it, and Dr. McGiffert is in the same position. The work to which Bunsen refers is the 'Acta Martyrum ad Ostia Tiberina,'⁴ and since what is there called the third chapter of the Latin is not the third but the first in the Pseudo-Cyprianic 'Demonstratio,' the suspicion lay surely close at hand that there was no more connexion of

¹ Printed by Rheinwald in 1831; also by Cousin, *Opp. Abel.* ii. 643-718.

² *Hippolytus and his Age*, i. 265.

³ *Texte u. Untersuchungen*, Band i., Heft 3, 75, n. 46.

⁴ Rome, 1795; the editor was Simon de Magistris.

any sort between the Greek of Hippolytus and the Latin of Pseudo-Cyprian than their arbitrary juxtaposition by De Magistris. Dr. Lightfoot's exhaustive catalogue of the Hippolytean writings⁵ exactly verifies this conjecture.

Dr. McGiffert's second chapter consists of prolegomena to the 'Dialogue of Papiscus and Philo,' which are followed by the *editio princeps* of the text. Our authorities are three manuscripts respectively at Paris (s. xi, xii), at Venice (s. xiv), and at Moscow (s. xv), together with parts of the (printed) 'dispute of Abbot Anastasius with the Jews.' The editor was unable to make use of the Moscow manuscript; of the other three authorities each presents a different recension, which can be dated according to the epoch reckoned by each to have elapsed since the prophecies of Christ (p. 65. 1), the dispersion of the Jews (78. 23), and the cessation of the temple worship (79. 7). In P, it is 'many' or 'a thousand' years, and this, though the earliest manuscript is the latest and fullest recension; in Anastasius, '800 years and more;' in V, 600 years for the first two dates, 670 for the third, where the editor would read 570; but it seems simpler and in accordance with the thought of the context⁶ to read *ἑξακόσια ὄχι ἐβδόμηκοντα*, and to see a contrast between the 600 years of the present case, and the short seventy years of the Babylonian captivity. Taking then V (which is not much more than half the length of P), a seventh century treatise, as our ultimate extant form, Dr. McGiffert asks whether we cannot reason back to a still earlier nucleus. He calls attention to the incongruity of the opening passage on icon-worship, and regards it, together with another similar passage (75. 17), as interpolations of the seventh century editor, placing the original perhaps in the fifth century, because, as he supposes (though surely rather rashly), the phrase *ἀεὶ πάρθενος* could not have been used earlier of the Virgin. But he has overlooked a good deal more which the critical scalpel will have to erase before we can get behind the seventh century. There is yet another allusion to icons (74. 15); there is the mention of Persian, Saracen, and Arabian persecutors, as well as generally of a time of trial for Christianity (61. 14, 62. 1 &c.); nay, the titles of *θεοτόκος* and *ἀεὶ πάρθενος* may belong to the later editor as well; so that there is no reason why we should not excise all that is inconsistent with a date further back still than the fifth century, and the only difficulty is where to stop the process. For the *locale* of at least the existing recension, the references to Egypt (74. 4, 76. 5, 79. 10), and to Sinai and Palestine (60. 5) must be taken as decisive.

We note on p. 21 'Bishop Vigilium: ' 54. 18, 55. 22, *τὸν εἰλημμένον* should undoubtedly be corrected, in the latter instance following V, into *τὸν ἡλειμμένον*, 'the anointed; ' 56. 17, text *ἡνέγκασεν* and note *ἡνάγκασεν*, should be transposed.

C. H. TURNER.

⁵ *St. Clement of Rome*, ii. p. 395.

⁶ Cf. esp. 80. 13.

Willelmi Malmesbiriensis Monachi de gestis regum Anglorum libri quinque: Historiae novellae libri tres. Edited from MSS. by WILLIAM STUBBS, D.D., Bishop of Oxford. (London: Published under the direction of the Master of the Rolls, 1887, 1889.)

A COMPARISON has recently been made between ancient and modern methods of writing history, in which the Jewish chroniclers, as especially dramatic, are contrasted with medieval and modern historians. The motive of a modern historian is said to be 'a mere interest in fact,' and his view of history 'our modern critical idea of a mere record.' The volumes before us do not support this contrast. The history of William of Malmesbury, said Sir Thomas Duffus Hardy in the preface to his edition (1840), 'has been compared to a drama in which the story is presented entire, though the tediousness of continued narration is avoided. . . . Everything which he thought necessary for the elucidation of the manners and customs of the people in the different periods of his history, or which exhibited their progress towards civilisation, whether in government, laws, or the arts, is stated with considerable ability.' William of Malmesbury was without question a writer of vivid insight; and we certainly do not regard Bishop Stubbs as an historian who records, but does not interpret, facts. When we receive another of his famous editions of the medieval chroniclers, we turn at once to his preface for record more full, but also for interpretation more clear, than we have ever had before. In an edition which bears his name we have learned to look, first, for a most complete study and analysis of the manuscript sources; secondly, for a laborious collection of everything that bears in any way upon the life of the author, or the work in hand; and thirdly, for a luminous and philosophic criticism of the book, and a judicial, but by no means dogmatic, statement of its position among other similar works. All this we receive to the full in the two volumes of William of Malmesbury.

As was to be expected, Bishop Stubbs is generous in his recognition of previous labours in the same field. The following is his conclusion as to the character of Savile's work: 'I have very carefully examined his text and variants, and have come to the conclusion that his edition is an eclectic, or learned and critical recension of his own making, based on a collation of good manuscripts, but with only an indistinct recognition of their relation and bearing upon one another.' Of the edition of 1840 the bishop speaks most warmly: 'No labour or research was spared in the production of the work, and no praise is too high to be awarded to the edition so produced.' The bishop's own edition is without all question a final one, and no one who studies the period can possibly dispense with it.

Turning to the manuscripts we find a full list, and a very careful *résumé* of their characteristics which bears witness to the thoroughness with which the indefatigable editor has revised his text. Three editions of his work are shown to have been issued by William of Malmesbury himself. The first Bishop Stubbs shows to have been completed between the summer of 1124 and the spring of 1125. The other two recensions

were issued at least ten years after. The final revision appears to be that of which the best and most ancient manuscripts are extant, and is the one now followed, as in 1840. The basis of the text of this, as of Sir T. D. Hardy's edition, is the Royal MS. 13 D. 2, which formerly belonged to the Cistercian abbey of Margam in Glamorgan, founded by William's patron Earl Robert of Gloucester. The number of known manuscripts of so popular a writer is, as is well known, very large, nor does Bishop Stubbs despair of the finding of many more, both abroad and at home. A full account is also given of the manuscripts with which William of Malmesbury is connected as transcriber or editor. Of these the most important is the Bodleian MS. Selden B. 16. On this the bishop prints a letter from Mr. Madan identifying the handwriting with that of the Magdalen MS. which is acknowledged to be the work of William of Malmesbury. This is a discovery of singular interest and should send many students to examine the manuscript for themselves.

The preface to the first volume contains an admirable life of the author and a comparison, which he himself invited, with Bede. This would be spoilt by quotation, but it increases the desire which every reader of the bishop's article in the 'Dictionary of Christian Biography' must have felt, that the same editor should undertake the production of a standard Bede.

In the prefaces two or three points only can here be referred to. Foremost perhaps in interest is the account, both complete and entertaining, of the legendary history of Gerbert. William of Malmesbury had at least this similarity to modern historians, that he did not know his popes backwards. The bishop frequently refers to his confusion of Gerbert with John XV (vol. i. pp. xlvi, li, lix, lxxiii; and vol. ii. p. lxxvii). But is it John XV or John XVI with whom Gerbert is confused? The bishop does not seem quite sure, for he mentions both in the prefaces, though in the text, p. 193, he speaks decidedly of John XV. Is there any trace of a confusion with the antipope John XVI? I cannot find any.

The preface to vol. ii. contains a minute analysis of the author's materials not unenlivened by the humour of the editor. 'If Offa of Essex was a suitor in 709 to Kineswitha, the daughter of Penda, a lady who must have been fifty-four at the lowest computation, and he had a wife of his own, as Bede specially records, such an event might help to explain some of the anomalous matrimonial adventures of our early kings; but the story is incredible, and the historian must have been dreaming when he made the assertion.' Or take the maze into which we are plunged when we look into William's ideas of the origin of Hugh Capet (pp. xxxv-xxxvii). 'How many Hughs are combined in this personality?' We have in passing some very valuable remarks on Asser; and while we are still thinking of Alfred, we have a remark which may be commended to the editor of the Oxford Calendar and the authorities of University College: 'The foolish and dishonest attempt which as early as the fourteenth century was made to associate Alfred with the history of the University of Oxford has helped to increase the confusion of the chronology and to throw doubt on the genuine portions of the "*Vita Alfredi*."' In the exhaustive discussion of the authorities on which William relied for his history of England before the Norman Conquest, considerable

interest attaches to the account of the poetical life of Ethelstan, with its sumptuous details and extraordinary versification, and no less to the relation between the work of our author and the lives of Edward Confessor. On this latter point Bishop Stubbs concludes that we are justified in assigning to William 'a greater proximity to original authority on the life of the Confessor than can be attributed to the other works specially written on the subject, and in supposing that he directly used the schedules preserved at Westminster, some fifteen years before they were brought forward in support of the proposal of canonisation.'

Of the debt of William of Malmesbury to the foreign historians of the Crusade, and of his original contributions to the history derived from pilgrims and crusaders, I greatly regret that the illness of Mr. T. A. Archer has prevented his writing, with that fulness of knowledge which he possesses. His praises of the editor's work in this quarter would have been of recognised value.

As in all the volumes in Rolls Series which have passed through the same hands, the index is here a work of the greatest labour discharged to the intense satisfaction of the reader,—perfect indeed it might be said to every eye but that of its compiler. In the text here and there little errors will creep in, in spite of the bishop's fondness for correcting proofs. But the few we have noticed are too trivial to deserve mention here. There is, indeed, no occupation for the critic in reading two volumes like these. It is the office of the *ENGLISH HISTORICAL REVIEW* rather to congratulate the editor on the completion of a great work which will never need to be done again.

W. H. HUTTON.

A Descriptive Catalogue of Ancient Deeds in the Public Record Office.

Prepared under the superintendence of the Deputy Keeper of the Records. Vol. I. (London: Published under the direction of the Master of the Rolls. 1890.)

THIS volume seems to mark a new departure in the policy of the Record Office, and one over which students of history should rejoice. For a long time past a great deal has been done towards calendaring and cataloguing the enormous mass of documents which that office has in its keeping, but too often the results of this work have been made accessible to the public merely in the form of voluminous appendixes to the periodic reports of the deputy keeper. This form is not convenient. We cannot guess *a priori*, and it is difficult to remember, even when we have once known, what classes of documents are dealt with by any particular report, and we may well want to buy, let us say, the calendar of Edward I's patent rolls without being compelled to purchase along with it a mass of indexes and catalogues for which we have no need. The book now before us is a catalogue and no more, though to all appearance it is a good catalogue. It will enable us, if we wish to know something of a particular place or of a particular person, to discover whether the Record Office has any ancient deed that will help us, and it will tell us briefly what are the contents of that deed. Unless, however, we have some particular place or particular person in view, it will be of little service to us, for the items in the catalogue are not arranged in any systematic fashion: thus, a

deed of Edward III's day from Cornwall stands next a deed of Henry V's day from Huntingdonshire. This is not said by way of complaint; very probably all has been done that could be done at once, and in such a matter as this every generation must show a little selfishness. But as this volume is the first of a series, there possibly may be some good in reminding those who are in charge of the work that every additional fact about these deeds that they can get into print is likely to increase—by but a little, it is true, but still by a little—the demand for their catalogues. For instance, if in the case of a lease, the acreage of the land, and the amount of the rent be mentioned whenever this is possible, here will be material provided for the student of economic history; and if in case of a family settlement we are told not merely that there are 'remainders,' but what these remainders are, here will be material provided for the student of legal history. However, that Mr. Maxwell Lyte and his learned assistants will do for historians all that the funds at their disposal will permit them to do, there is every reason to believe.

F. W. MAITLAND.

Les Savoyards en Angleterre au xiii^e Siècle, et Pierre d'Aigueblanche, évêque d'Hereford. Par FRANÇOIS MUGNIER. (Paris: Champion; and Chambéry: Ménard. 1891.)

M. MUGNIER has written much on various points in the local history of Savoy, and his writings will be consulted with advantage by any one interested in that subject. His present volume possesses, however, a general as well as a local interest.

In 1232 Count Thomas I of Savoy bought Chambéry, the future capital of his race, from its lord, and thenceforth the house of Savoy extended its power in every direction north of the Alps, as it had previously done to the south of the great chain. Thus the history of Count Thomas's children and grandchildren carries us to the Dauphiné, to Faucigny, to Vaud, and to Provence, and yet farther afield, to Flanders, and even to England. This history M. Mugnier has tried to work out from the documents, paying special attention to the Savoyard invasion of England for the thirty years after the marriage in 1236 of Eleanor of Provence to King Henry III. and of her sister Sanchia in 1243 to his brother Richard earl of Cornwall, later king of the Romans. Both these ladies were granddaughters of Count Thomas. Among those who accompanied Eleanor to England was her uncle William, bishop elect of Valence, and later of Winchester, and his confidant Pierre d'Aigueblanche (in the Tarentaise), who in 1240 became bishop of Hereford. Later came other uncles, Philip, Peter (*le petit Charlemagne*, to whom we owe the Savoy palace in the Strand, and probably also the castle of Chillon), and Boniface, who in 1241 was raised to the see of Canterbury. Of all these, and of their numerous companions and followers whom they put into places of profit in England to the great disgust of the subjects of Henry III, Monsieur Mugnier gives us a full account, tracing their movements by the aid of charters and other contemporary records. The result is a very valuable study of one very important period and aspect of Henry III's long reign, for it is only by following the career of each individual that we realise how just and

righteous was the indignation of the English people against these foreign favourites of the king, who drew to themselves all the most lucrative posts and richest benefices in England. The most hated, because probably the most influential, was the bishop of Hereford whose twenty-eight years' tenure of his see was distinguished by unblushing nepotism, while he had the ear of the king and was his chief counsellor, particularly in Gascony. Hence M. Mugnier traces out his career at length, grouping together the smaller fry in a sort of 'Dictionary of National Biography' on a reduced scale. For this reason also he works out the history of Peter's refounding and enriching the collegiate church of Aiguebelle at the entrance of the Maurienne, and close under the castle of Charbonnières, the original seat of the house of Savoy. Among several hitherto unprinted documents included in the appendix, are the will of the bishop, and his statutes for his new foundation. M. Mugnier seems to make clear from the former, that the bishop died and was buried in 1268 at Aiguebelle, and not, as the English chroniclers say, at Hereford, where his magnificent mausoleum did not therefore contain his bones. One point in the statutes of Aiguebelle (1267) is curious. Peter strictly enjoins that the 'use of Hereford' was to be followed in certain particulars in the offices of the collegiate church; and M. Mugnier tells us that this was actually done until 1580. This is, perhaps, a unique, certainly a very rare case, of the adoption of a medieval English 'use' in a foreign land. M. Mugnier has consulted all the best printed and manuscript authorities, Savoyard, Swiss, and French. He seems very well up in the printed English authorities, though some names are not quite accurately given. It is a pity, however, that he has only referred to an old (1840) translation of Matthew Paris, and such a well-informed writer should not have fallen into a well-known trap and repeated the legend (based on a simple mistake) of John Mansel and his 700 livings! Some diagrams of seals, and an old (1598) plan of Aiguebelle and its surroundings, complete a scholarly monograph, which fills a gap in historical literature, but which will probably be less read than referred to, as it is largely made up of itineraries, dates and references, literary attractions having been ruthlessly sacrificed to historical accuracy.

W. A. B. COOLIDGE.

Collectanea. Vol. II. (Oxford Historical Society.) Edited by
Professor BURROWS. (Oxford: Clarendon Press. 1890.)

THIS volume contains a large mass of valuable material. It opens with an account of 'The Oxford Market,' by Mr. Ogle, the present clerk of the market. The article is not a history of the market, but a collection of materials for such a history. It consists for the most part of extracts or summaries of documents from the city archives and Twyne's MSS. in the university archives; and it may be assumed that Mr. Ogle has extracted nearly everything of importance which those collections contain on the subject. The history of any English market in such detail would be valuable as illustrating manners and customs; the Oxford market has an additional interest of its own. It was for centuries the centre round which the university and civic authorities struggled. The town and

gown rows of the middle ages were very practical affairs, and exorbitant prices charged by the townspeople played no small part in them. The supremacy of the university in the government of the market dates from 1355; 'after that there was never any complete peace.' But we have no space to notice even the chief turning-points in the story. Many curious side lights are thrown in these pages on the state of Oxford. In 1639, *e.g.*, 'there were more than 300 alehouses in Oxford, almost all of them licensed by the mayor and city justices, above 100 by one alderman, who bound them to take their beer of him.' It is to be regretted that Professor Burrows, in his capacity as editor, allowed the following statement to pass: on p. 5 Mr. Ogle writes, 'The reaction from this' (*i.e.* the measures of Archbishop Laud) 'finally resulted in the charter of James I, under which the city has been practically governed up to the present time.' James I's charter was granted in 1605.

Professor Holland¹ has done good service by bringing together, with critical notes, all the contemporary, or nearly contemporary, notices bearing on 'The University of Oxford in the Twelfth Century.' The collection of them must have involved great labour; they are drawn from a great variety of sources and several are here printed for the first time. The question which naturally suggests itself is, Do they disprove, or are they, on the other hand, consistent with, the theory advanced by Mr. Rashdall, that the origin of the university is to be sought, not in a development from older schools, but in a scholastic migration from Paris?² The notices of Theobald of Étampes conclusively prove the existence of a theological school at Oxford at the very beginning of the twelfth century; but it seems probable that Theobald was a canon (whether secular or regular is not clear),³ and that, notwithstanding Professor Holland's arguments,⁴ he lectured at St. Frideswide's. And it can hardly be doubted that Robert of Cricklade, prior of St. Frideswide's in 1141, taught in the same schools. But nothing is more certain than that the university at its origin had no connexion with any religious house. The mention of *clerici diversorum locorum Angliæ*⁵ residing at Oxford in 1171 certainly seems to imply the existence of some kind of *studium generale*; but the migration, if it ever occurred, may possibly have taken place before that time. Of all the passages here quoted not one is inconsistent with Mr. Rashdall's theory, though the accumulated evidence does throw some doubt on it. We must suspend judgment till that new and unknown evidence is discovered for which Professor Holland is sanguine enough to hope.

The Digby Roll containing the record of the great lawsuit between the 'Friars Preachers and the university,' though transcribed by Brian Twyne and used by Wood and other historians, is here printed for the first time, and the society is to be congratulated on its choice of an editor. Mr.

¹ These lines were already in print before Professor Holland's article on 'The Origin of the University of Oxford' appeared in the *ENGLISH HISTORICAL REVIEW*, April, 1891—Mr. Poole has pointed out that *compendioso* on p. 153 (5) of *Collectanea II* should be *Compendiensi*. Dachery reads *compendioso* in the text, but gives the heading

* *Ejusdem ad Roscelinum compendensem clericum.*

² *Church Quarterly Rev.* xxiii. 441.

³ *Collectanea*, p. 157.

⁴ *Ib.* p. 141.

⁵ *Ib.* p. 163.

Rashdall's researches into the comparative history of medieval universities (the results of which, or the first instalment of them, it is to be hoped, will before very long be given to the world) have rendered him peculiarly capable of appreciating and explaining the information incidentally conveyed by these documents on the early constitutional development of the university of Oxford. He says, for instance, 'The roll enables us' to point out the period at which the system of voting by faculties was introduced into the university . . . and it is hardly too much to say that but for the Digby Roll and the Patent Roll (14 Ed. I, m. 7) we should hardly have been sure that the system was ever really in operation in Oxford.'⁶ The importance of the document for the history of the relations between the friars and the university is obvious. The award of the arbitrators concerning the granting or refusal of theological degrees⁷ became the permanent statute; it was recapitulated word for word by Richard II in 1388,⁸ and in 1421 the university formally undertook to observe it for the future.⁹ Illustrations of the life of the friars are not wanting; it is evident that the Dominicans of Oxford in 1312, like the Dominicans of London in 1255, were mendicants not in name only.

'Item concitant per totam prouinciam clerum et populum contra fratres; unde necessarius uictus fama et affeccio subtrahitur ab eis et ideo studentes . . . afflicti fame . . . conuentum totaliter reliquerunt,' &c.¹⁰

The letter of Archbishop Reynolds (p. 262) has not been edited with the care and accuracy that might have been expected. Mr. Rashdall does not seem to be aware that it occurs not only on fol. 33 of the register, but also on fol. 44. From a comparison of these two versions the correct reading can in most cases be recovered. It is quite possible that the following are not all the errors and variations:—

Walterus . . . Henrico de *Harcley* . . . saluatoris Regis *pacifici* qui pacem voluit nunciari. *in sue benedite* . . . ut in nostre *noue* sublimacionis principio . . . debitum et *legati legacionis* Anglicane . . . pacem memoriam [*sic*, in both] *inquirant hoc tamen deditis* studio studiosius . . . ad *perfectum* (fol. 33), [ad *effectum* (fol. 44)] etenim anima in *quiescendo* fit sciens et minus *vidz* oculus *perturbatus* . . . fauoribus quibus ignis [? doubtful in both] caritatis . . . dilectum *fratrem* Walterum de *Walepoul* (fol. 33) [*Walelepol* (fol. 44)] . . . ad gradus *scolasticos* . . . non legit [in both] . . . super hoc edicto nullum [in both] preiudicium . . . &c.

It is important to get the name Walepoul right: see 'A Record of the English Dominicans,' *ENGLISH HISTORICAL REVIEW* for Jan. 1890, p. 107.

Mr. Neubauer's 'Notes on the Jews in Oxford' are necessarily fragmentary; but important subjects are touched upon in his introduction. 'On one point we disagree from all the historians of Oxford Jews. We cannot subscribe to the flattering words concerning the importance of English Jews with relation to secular learning, expressed by late historians.'¹¹ On these matters the compiler of the 'Catalogue of Hebrew Manuscripts' in the Bodleian speaks with an authority and special knowledge to which Mr. J. R. Green and Mr. Boase cannot lay claim. The documents here given concerning the Oxford Jews are drawn some-

⁶ *Collectanea*, p. 211.

⁷ *Ib.* p. 271.

⁸ Close Roll, 11 Ric. II, m. 15.

⁹ Wilkins, *Conc.* iii. 400.

¹⁰ *Collectanea*, p. 220.

¹¹ *Ib.* p. 286.

times from manuscript sources, usually from printed collections of records. There must still be a large number of references to the Oxford Jews in the public records, and we venture to give one from Close Roll 3 Edw. I, m. 18 *in dorso* (A.D. 1275). (An Isaac de Pulet is mentioned in Mr. Neubauer's documents, pp. 307, 308.)

'Pro Magistro Roberto de Fleminguill' et Comitissa vxore Isaac Pulet Judei. Rex dilecto sibi Magistro Willelmo de Bridelinton Cancellario Vniuersitatis Oxon' salutem. Cum negocium et causam, que inter Magistrum Robertum de Fleminguill' et quamdam Judeam nomine Comitissam vxorem scilicet Isaac Pulet, coram vobis iam diu est [?] agitata sunt, dilectis nobis in Xro. fratribus Johanni de Pecham et Oliuero de Encourt certis de causis commiserimus audienda et prout de iure fieri poterit terminanda; vobis mandamus quod prefatos Johannem et Oliuerum hac vice negocium illud, prout eis iniunximus, audire et secundum quod de iure expedire viderint, coram eis terminari permittatis. . . . Teste ut supra [*i.e.* Rege apud Westmonasterium, secundo die Maii].'

The foregoing articles appeal only to the historical student. The 'Memoir of William Grocyn,' by Professor Burrows, appeals, if not to 'the man in the street,' at least to the man in the study, as well as to the historian proper. The memoir, together with the list of Grocyn's books, drawn up by Linacre as his executor, and recently discovered in the archives of Merton College, is really a valuable contribution to the history of the new learning in England. Grocyn's reputation has suffered from the fact that he published no writings worth mentioning; yet Hallam rightly calls him 'the patriarch of English learning' ('scholarship' would perhaps be more correct), and the chief value of Professor Burrows's article is, that it proves that 'the credit of being the first Englishman to introduce the new learning into Oxford, and from Oxford to the country at large,' belongs not to Linacre but to Grocyn.¹² The Italian scholar Vitelli did not first come to Oxford in 1488, as Wood argues, but was lecturing at New College in 1475, and probably some years earlier.¹³ He no doubt initiated Grocyn into Greek and classical Latin; and this explains the statements of Erasmus and George Lily that Grocyn learnt Greek and Latin in England and introduced the study of them into Britain before his journey to Italy in 1488.¹⁴ The paucity of Greek books in Linacre's catalogue is probably to be explained by the fact that, after Grocyn's death, these were packed in a separate 'hamper,' apart from the other books, and brought to London by a special messenger and not entered in this list.¹⁵ Several of them, however, are extant in the libraries of Corpus Christi College and New College.¹⁶ Professor Burrows has produced an essay which is at once good history and pleasant reading; but—in writing of a scholar—why use 'difference' as a verb? ¹⁷

Lighter food is supplied by Mr. Macray's 'Table Talk and Papers of Bishop Hough,' president of Magdalen College, in the famous struggle of 1687 (the letter from R. Congreve to his mother in the appendix affords a curious glimpse into undergraduate life in 1733), and by Mr. Haverfield's 'Extracts from the "Gentleman's Magazine" relating to Oxford,'

¹² *Collectanea*, p. 333.

¹³ *Ib.* p. 340.

¹⁴ *Ib.* p. 337.

¹⁵ *Ib.* pp. 330, 368.

¹⁶ *Ib.* p. 372.

¹⁷ *Ib.* p. 336.

vols. i.-lxx. The most interesting of these extracts is the description of the examination system on pp. 428-9. The volume concludes with a supplement to the 'Day-Book of John Dorne' (printed in 'Collect.' vol. i. p. 71 *et seq.*), edited by Mr. Madan with the bibliographical notes of the late Henry Bradshaw. These, however, 'the last piece of work which he finished,' have already been printed in his 'Collected Papers.'

A. G. LITTLE.

Edward VI and the Book of Common Prayer: an Examination into its Origin and Early History. With an Appendix of Unpublished Documents. By F. A. GASQUET, O.S.B., and E. BISHOP. (London: Hodges. 1890.)

THE authors of this volume have been fortunate, and have improved fortune. To them it has been given to bring to light several manuscripts of the highest importance for the history of the English Prayer Book, which by some fatality have escaped the notice of former inquirers; and they have illustrated their discoveries by an historical narrative which is learned and interesting. Their work consists of these two parts, the historical narrative, or sketch of the history of the Prayer Book, in sixteen chapters, which comes first; and the invaluable appendix of original documents, to illustrate which the historical narrative is written. As the authors have adopted this plan of treating their materials it may be said at once that they have carried it out well; but perhaps it might have been more satisfactory if they had printed the documents *in extenso* with illustrative notes. To make room for the narrative, some of these originals are given in a shortened way, whereas it would be desirable to see them as they are; and one, the Acts of the first Convocation of Edward VI, is not given but only described. An explanatory narrative is not full history, and yet has the appearance of full history. Events which had other bearings are exhibited only in their bearing upon one point; things are taken as they had become at the moment when they are spoken of, without reference to their beginnings or former stages; at times the desire of the reader for what is new is checked by the unavoidable repetition of what is well known and commonplace.

The discoveries which this work contains add greatly to our knowledge of the process of the formation of the English Prayer Book. All that could be done with the means hitherto available had perhaps been done—the sources of the Prayer Book explored; the influence of known authorities, such as Quignon, ascertained; some dateless monuments put in place, by the industry of successive writers. But still it was felt that the records were very scanty of the process of compilation itself, the process by which the old diocesan uses were brought into the great common use of the sixteenth century: and that it was difficult to fill the void between the time when those old uses were begun to be examined and called in and the time when the new use was set out—a period of nine or ten years, from 1540 to 1549; a period which might be expected to be full of the literary remains of liturgical experiments, but which, in fact, has been found to be almost empty. The writers of this volume have cast into the void the matter that was wanting. They have discovered a first and second draft

of a breviary with Cranmer's annotations; a sort of report of the great debate on the sacrament, which was held in the house of lords in 1547; and a report of some of the proceedings of the memorable convocation of the same year, the first of Edward VI. They are thus enabled to exhibit the growth of the English Prayer Book, and invite us to survey more accurately than has hitherto been possible the extensive scheme of liturgical alteration that was promulgated in the last years of Henry and the first years of Edward. They have completed their work by carrying on the examination to the end of the reign of the latter.

The last public act of Thomas Cromwell in the year of his fall—1540, a year memorable for many reasons—was to announce in Parliament, on the authority of his master, Henry VIII, the appointment of a great commission of bishops and doctors, divided into two parts, of which the one was to treat of doctrines, the other of ceremonies. In the space of three years the former part of this commission produced the last of the great Henrician formularies of the faith, the 'Necessary Doctrine of a Christian Man.' A very conservative 'Rationale,' or exposition of divine service, which is extant, of Henry's time, has been conjectured by me, in my 'History of the Church of England,' to have been the work of the other part of this commission; and to what I said there it may be added that the conjecture seems agreeable to Cromwell's speech in parliament on the occasion, who said that the king *alios autem episcopos elegit qui discrimen et rationem ceremoniarum exponant . . . episcoporum horum functio in ceremoniis et ritibus erit.*¹ The present writers accept this conjecture. The 'Rationale,' however, remained unpublished in 1543, when the 'Necessary Doctrine' (the work of the other part of the commission) was passed by convocation and published. Instead of issuing a companion volume concerning rites and ceremonies, to explain and defend them (as the 'Rationale' would have done most uncompromisingly), Archbishop Cranmer declared in convocation that it was the king's will that the existing service books should be examined and reformed. Hereupon the examination of service books was assigned to two bishops, each of whom was to take to himself three of the lower house of the clergy: but this committee seems not to have been formed; and the two bishops apparently did nothing, not having power to act alone. What, then, followed? Nothing public in the reign of Henry—no examination or castigation of the service books. But in the first year of Henry's son, in 1547, the convocation spoke as if something had been expected, the lower house petitioning the upper that 'the labours of the bishops and others, who by command of convocation had been engaged in examining, revising, and setting forth the divine service, should be produced and submitted to the examination of the house.' This was a memorable and active assembly; and this petition was one of several by which the clergy endeavoured at the time to recover the rights and liberties which they had once enjoyed. But to what labours of bishops and others did they refer herein? I have suggested that it was to the unpublished 'Rationale' above mentioned, the suppression of which I ascribed to Cranmer. When the suggestion was made there was nothing else known to which the

¹ *Lords Journals*, p. 129.

clergy might be supposed to point in their petition. But the present writers observe not without some force that the words of the clergy, in their petition, about revision or examination scarcely give the description of a rationale or exposition : and that the clergy speak of the examination of service books as having been undertaken by their own command (*ex mandato convocationis*) without mention of the king. On the other hand, there is a version of the petition (in the Stillingfleet MSS.) perhaps by Cranmer himself, in which the clergy speak not of their own command, but say that as, 'by the commandment of King Henry VIII, certain prelates and learned men had been appointed to alter the service of the church,' and had made 'certain books, as they were informed,' upon which they desired to see and peruse the said books. This probably refers to Cranmer's declaration of the king's will in 1543 ; but it is not inconsistent with the admitted conjecture of origin of the 'Rationale' three years before under Cromwell's commission, while the words to 'alter the service' may possibly be Cranmer's own interpretation of the purpose with which, as to ritual, that commission had been appointed. And the 'Rationale,' unpublished, but known to be in existence, and in its arguments answering to the wishes of a great part of the clergy, may have been among the 'certain books' which the clergy wished to see, even though it were not the only one. The matter is not of the greatest consequence, for nothing is known to have come of the petition of the clergy : neither the 'Rationale' nor any other 'books' seem to have been laid before them.

Cranmer, however, had that which he might, if he had seen fit, have exhibited to the convocation. Since the year 1543, when he declared King Henry's will to be that the service books should be examined, he appears to have taken the matter into his own hands, and to have been engaged in the two successive schemes, of breviary and lectionary, and of order of morning and evening prayer with lectionary, which it is the first praise of Mr. Gasquet and Mr. Bishop to have discovered in one of the manuscript collections in the British Museum. These originals, in the clerklly writing of Morrice, annotated and corrected in the beautiful hand of the archbishop, supply the lost links of the chain which conducts the old service books to the first English Book of Common Prayer, and exhibit the process by which the one became the other. To them may be referred, and by them will be rewarded, the curiosity of the liturgical reader. The discoverers are right beyond doubt in assigning them to some date between 1543 and the death of Henry at the beginning of 1547. Cranmer is known to have been at liturgical work then, as witness that draft of a royal mandate about removing certain ceremonies, in which he is said to have been appointed by the king 'to peruse certain books of service' ; and was to have had for his colleagues not a Salcot or a Goodrich (the two prelates who were ineffectively nominated in 1543), but the conservative Heath and Day.² The king, however, never signed the mandate ; and Cranmer seems to have pursued his way alone.

As to the first convocation of Edward, towards the end of 1547, our authors truly say that its records have received very unfortunate treat-

² Page 28 ; Pocock's *Burnet*, ii. 330, or Cranmer's *Remains*. Dixon, ii. 365.

ment at the hands of Burnet, Strype, and Wilkins; and one of their services to history is that they have given information where to find a large portion of the acts or journal of that memorable meeting, in which the questions of communion in both kinds and of the marriage of priests were decided. The original paper is extant, with the signatures, on the latter question, of the *affirmantes* and *negantes*. It is to be hoped that these interesting memorials may soon be given to the world.

The first of the great liturgical works of Edward's reign was the Communion Book of the beginning of the following year, 1548. Some dateless documents exist, which by general consent are considered to have been immediately anterior to this publication, viz. the several sets of 'Questions concerning the Mass,' which are given by Burnet and others. To fix the exact date of these Questions, which were answered by nearly all the bishops and one or two doctors, is a point of some moment. The writers under review maintain that these curious papers were either just after the first parliament (and convocation) of Edward, or at any rate close upon the end of it, because they contain nothing about the desirability of communion under both kinds, which matter was expedited by parliament late in the session, on December 20. They argue (after Collier) that this particular question was not among the Questions because there was no longer any need to ask it. And, on the other hand, they maintain, for a reason given, that the Questions could not be later than the end of January following. [Indeed, they could not have been much later, for the Communion Book was published on March 8, and must have been some time in the press.] The writers animadvert on my assignation of the first and longest of these sets of Questions 'to some period before the meeting of parliament in 1547' (p. 83)—to some period, that is, in Edward's first year, previous to his first parliament. This is unfortunate, as I said no such thing. My argument is that they were not before, but during the session of 1547. I showed, partly after Jenkyns, that the third or last set of the Questions must be referred to that session, and then added, 'If it should be argued that the first set of Questions need not be of that date, because the third set is, it may be answered that the first set also contains a decisive proof.' I also added that the second or remaining set is of the same date also, so that he refers all the sets to the session of 1547. I am, therefore, of the same opinion with these writers, save that they would put the Questions right to the end of the session, or possibly just after it. It seems more likely that the Questions were propounded any time during the session—at all events whilst the bishops were still in town to answer them. Having mistaken my meaning, which was that the Questions were not before the session, the writers go on to take exception to my 'decisive proof,' which went to show that they were not after it. They say that one of the queries being 'whether it be convenient that masses satisfactory should continue—that is to say, priests hired to sing for souls departed'—it is a misapprehension for me to have argued that 'it would have been superfluous to ask this after the session of 1547, which destroyed chantries,' because that the chantries act only abolished certain perpetual foundations for masses, and had nothing to forbid priests being hired to sing for souls departed, which could be done as well after as before the act, and only became

unlawful 'when the mass was abolished altogether.' For this they quote Gardiner's famous sermon of June 1548, to the effect that 'though the chantries be transferred to another use the mass is not condemned,' and that 'the act was not prejudicial to the ministers, that they should have their living out of the same.' I may have learned as much from the answers themselves that were returned to the question. My argument is that it was, as not before so not indefinitely after, but during the session; though it may have been late therein, for the chantries act was not expedited till the last day of the session, Dec. 24. The matter is, as to this question that it was asked (and asked in a contemptuous form) to cover the meditated destruction of chantries, which was the reason why it was asked at all. These writers and myself in fact agree instead of differing as to the date of the Questions on the mass, that it was during, or possibly just after, but not before, the parliamentary session of 1547.

In this chapter respecting the time, place, and persons concerned in the first English Order of Communion, or 'the new liturgy,' the work of 1548, to which the above-mentioned Questions on the mass seem to have been preparatory, our authors give an interesting disquisition on the celebrated Windsor commission or assembly, the body which has in history the credit of having drawn up not only that communion book, but also the first English Prayer Book, which followed in 1549. This assembly is usually said, after Fuller, to have consisted of thirteen—six bishops, six doctors, and the primate Cranmer—and it is not improbable that it may have been so constituted. But by a laborious investigation the authors show that it had no commission in writing that is known; that as to the time when it began to meet, the place where it met, the persons and the number of persons who composed it, there are varying statements in the historians, many of whom they cite. On the first of these points, the want of a written commission, they are very emphatic. 'Of commission in any formal sense of the term no trace has been found after a careful examination of records, printed and unprinted' (p. 94).— 'Search has been made for any sign of a commission for either the Order of Communion or the Book of Common Prayer through every series of documents and collection of papers which seemed to promise results, but in vain; no indication of any such commission has been met with' (p. 146). As to the place, they make it highly probable that it was Chertsey, as well as Windsor; and this is an addition to our knowledge which is entirely due to them. As to the persons concerned, they justly conclude that the only list worth serious consideration is that of Fuller, who was the first to give the symmetrical constitution of thirteen prelates and doctors with the primate. Their researches somewhat confirm Fuller, but they urge with reason that he cannot be taken to settle the question. He cannot, indeed, be supposed to have invented his list; but he himself 'clearly did not know to what his list really referred; it is practically useless for determining the actual names of the compilers of the first Book of Common Prayer, and must remain without authority until the document itself can be produced' (p. 146). It is unfortunate to have to add that the writers have entirely omitted to mention that in the most important parts of their conclusions on this subject they have been anticipated by myself, who was the first to

raise the main question whether the Windsor commissioners ever had any written commission. I said, *inter alia* to the same effect, 'It is curious that our knowledge of the names of the Windsor commission, as at first appointed to draw up the Communion Book of the year before the Prayer Book, is derived only from Fuller, who does not say whence he got it, and who describes it as referring to the Prayer Book, not the Communion Book. No one can doubt that Fuller saw the list of thirteen which he gives; and the probability is that he saw it in a written commission that was issued to the persons named. But still that written commission has never been produced. Hence it is not certain that the thirteen divines commonly called the Windsor commission ever had a written commission.'³

On the important question whether the first Prayer Book were ever submitted to convocation, the authors confirm the negative answer given by myself, quoting one of the places in which he says that it was not. But here, again, they have omitted to say that I was the first to reopen the question for perhaps a century and a half, and that I had collected and examined the contemporary evidence both for and against. They give the same contemporary negative evidence that I gave—that is to say, all the evidence that can be found—but they make no reference to him, although one or two items of that evidence were produced or printed by him for the first time (p. 152; cf. Dixon, iii. 5, 130, 146–8). As to the opposite evidence, they have held it unnecessary to follow it beyond an initial stage; but they might have said that it has all been traced with care by the previous writer (iii. 5, 127, 161, 163). Such reticence toward their immediate precursor falls below what is requisite, and has the effect of leaving their own historical dissertation incomplete. It is more pleasant to pass to the truly valuable contribution that they have made to our knowledge of the manner in which the first Prayer Book was carried into use. They have discovered and printed in full an original report or summary of the great debate that was held in the house of lords in the end of 1548, preparatory to the first act for uniformity of the session following at the beginning of the next year. Our knowledge of this memorable occasion has been hitherto of the slightest, drawn merely from a few letters of the period which happened to refer to it. Now it is set before us in its animation and conflict; and the discoverers have accompanied it by an exposition, or commenting narrative, for which thanks are due, though there may be much difference of opinion respecting some things that it contains.

The investigation which follows of the relation of the English Book of Common Prayer toward ancient and toward contemporary liturgies is perhaps the most learned part of the work, and full of striking observations. The writers hold that in studying the Book of Common Prayer historically the main question is from what sources it was derived immediately; what books, what authors lay within reach of the English compilers. On this subject considerable light is thrown; but it may be doubted, perhaps, whether it can be fully determined: especially if that be admitted which these writers more than once advance, that, with one

³ *History of the Church of England*, iii. 16.

exception, it is not absolutely certain who the compilers were. However, the ancient uses of England were, no doubt, the body on which they operated; and the ancient uses may be regarded as one, since their differences were unimportant in comparison of their general agreement in contents and structure. The extent to which the Book of Common Prayer adheres to the ancient uses or departs from them, is given as regards the great central service of the mass; and after that the Book of Common Prayer is compared with the liturgies of contemporary origin, the liturgies that owed their birth to the Reformation. Of these latter, only those of the Lutherans are considered, the Calvinistic and Zwinglian services being out of question as of an entirely different character. The German and Latin missals of Luther, which are affirmed to be the basis of the other numerous Lutheran liturgies, are compared with the Order of Communion in the English book; and the Lutheran influence is traced also in the ordinances of baptism and confirmation. All this is in order to answer the question, which is raised, whether the English Prayer Book 'is to be ranked with the ancient liturgies of the Christian church or with the group of church services created by the Reformation in the sixteenth century' (p. 216). The answer given is that 'there can be no hesitation whatever in classing it with the latter, not with the former' (p. 224). This decision will scarcely be accepted by English catholics without reserve. The English Book kept closer to the earlier uses than the Lutherans did. Instead of the elaborate arrangement of groups or families of liturgies, which these writers suggest, it would have been simpler to say that of all the liturgies that were formed or reformed in the sixteenth century by the force of the Reformation the English liturgy was the most conservative. The investigation brings out several points of interest. One is the greatness of Cranmer in his own line: everything in the way of arrangement, compilation, manipulation—in a word, composition—seems to go back to him. He appears to have been one of those rare men who can help themselves not only by their own wit, but by the best of the wit of others, by making it their own. When the materials that came under his notice had passed through his delicate perusal, he could fuse all together in that wonderful sacred English which can never be written again. That such a man was 'ductile,' open to receive all impressions, belongs to the character. He was a high literary genius. These inquiries, for another matter, reopen the question of the extent to which the English Reformation was affected by the influence of the Lutherans. Of late it has been the fashion to deny that Lutheranism had any share at all in shaping the course of England; and the position held by such writers as Laurence has been regarded as no longer tenable. The Augsburg confession, however, certainly had a great deal to do with the English confessions; and now it seems that the Lutheran liturgies had far more to do with the English Prayer Book than has been thought. One or two slight trips in this part of the work of our authors may be noticed. They say that Laurence, in his 'Bampton Lectures,' affirms that there is a copy of some of Luther's works, that once belonged to Cranmer, in the library of Corpus Christi College, Cambridge (p. 229). The reference should be to the college of the name in Oxford, where there are some of Cranmer's books.

On this part of the general subject it may be remarked that critics are too much inclined to think that rival theories are held by historians as to the comparative influence of foreign and native reformers in the work of the English Reformation. If an historical writer finds foreigners sending exhortations into England, writing censures, and otherwise interfering, and records what he finds, is he therefore denying that Englishmen gave the same advice, or that, if they did, they had no weight? If he finds certain English bishops or doctors strenuously urging the measures that were actually adopted, and says so, is he thereby denying that the representations of foreigners to the same purpose had any effect? Our authors have laid stress on the one hand on the determination of the English, of Cranmer and his associates, and have pointed out with probability that Cranmer was considerably impelled by his opposition to Gardiner. On the other hand, they have brought forward some new evidence of the influence of foreign divines, as, *e.g.*, a tract of Peter Martyr's on the eucharist (p. 158). Thus they cut both ways: and yet one of their admirers in the press vigorously exclaims, 'He (they) has (have) scattered to the winds the theory that the first Prayer Book was ever meant to be final, or that things would have gone on comfortably enough if it had not been for the interference of the foreign reformers, which led to the important alterations introduced into the Prayer Book of 1552.'⁴

In their account of the reception of the English services the writers go lightly over the great risings and the academic disputations of the year 1549; but they make good use, for the first time in this connexion, of some scattered notices in the *Grey Friars Chronicle* and *Wriothesley's Chronicle* of quarrels in the London churches and variations of practice which arose through the first Prayer Book. Some of the instances which they give occurred before the day, 9 June, appointed for the new service to come into use, and exhibit exactly the same impetuous desire to go before the law, and anticipate 'the king's proceedings,' which was still more unhappily manifested in the opposite direction in the following reign. This part of their work is particularly good upon the contest between Bonner and May in St. Paul's (cf. Dixon, iii, 129). It seems that Cranmer himself took the trouble to go and preach and officiate more than once in St. Paul's, probably by invitation of the reforming dean; and that the sermons which he delivered were written originally by Peter Martyr in Latin, were translated for the use of the archbishop, were then retouched by his assiduous hand, and are extant in the C.C.C.C. library (p. 242). They are not in the lists of Cranmer's writings in Todd or Jenkyns. They ought to be printed.

In their final chapter, on 'The Second Book of 1552,' the authors have discovered a curious agreement between several of the alterations made in the Order of Communion in the first book and some points previously noted by Gardiner in the criticism that he passed on the first book in his famous literary sacramental controversy with Cranmer. They hold that these points, in which Gardiner had praised the retention of catholic doctrine, were eliminated by Cranmer in the second book rather because of Gardiner's approbation than by reason of objection raised by Bucer in his

⁴ *Athenæum*, Dec. 27, 1890.

'Censura;' albeit, as they allow, two of the points in question were among the very many matters alleged by Bucer against the first book and altered in the second. The case is interesting, and the authors have done well to bring it forward. It may serve to show, on a most important subject, the effect on Cranmer of the strokes of his powerful adversary. In the same chapter the authors contend that a working meeting of convocation for considering the first Prayer Book, with the view of altering it, which has been hitherto assigned to the end of 1550, really belongs to the beginning of 1552 (p. 286). The former date has been given by successive writers in dependence upon Heylin, the only original authority who records the meeting at all. Our authors hold that Heylin made a mistake of date: and to the reasons that they give it may be added that it is very unlikely that there should have been an active meeting of convocation at a time when parliament was not sitting. Their main reason is that Cranmer's register gives a writ of prorogation of convocation at the end of 1550. This seems conclusive. There was, however, a conference of bishops held at that time about altering the Prayer Book. It is somewhat curious that in discussing this matter the authors have convicted myself of a mistake similar to that which they attribute to Heylin. He has assigned a letter to 1551 which is dated 1552 in the Parker 'Original Letters.'

If, then, the correction offered by our authors be accepted, as it seems that it should be, and it be established that it was at the beginning of 1552 that the alteration of the first Prayer Book came under the consideration of convocation, it follows that whatever Heylin tells us, from the perished acts, was done by convocation in 1550 was done in 1552. And we know no more than Heylin tells us. Now our authors seem to intimate that at the later date, which was of course the year of the publication of the second Prayer Book, the convocation had under consideration alterations that went far beyond those which obtained in the second book, great as those were. The design of a third book, of a far more sweeping character than the second, has been freely imputed of late to Cranmer, by more than one Anglican writer. It is a grave imputation, which, however, seems to rest upon a piece of secondhand evidence, upon something that Bullinger is said to have said to some of the exiles in the reign of Mary, which, again, comes from a notoriously one-sided book, 'The Troubles at Frankfort.' Our authors significantly quote this piece of evidence in the midst of their remarks about the convocation meeting of 1552. 'Bullinger, always well informed, stated to some of the Frankfort exiles that "Cranmer, bishop of Canterbury, had drawn up a Book of Prayer a hundred times more perfect than this that we now have" (*i.e.* the book of 1552); but "the same could not take place, for that he was matched with such a wicked clergy and convocation, with other enemies,"' p. 287. Now if our authors could make good that in the year of the publication of the second book, 1552, convocation was considering changes that went far beyond the second book, Bullinger's alleged assertion about a third book being in contemplation would be no longer unsupported, and a blow would be struck at the comparatively conservative character of the English Reformation, so far at least as intention was concerned. However, even granting that whatever was considered by convocation on the matter

was considered in 1552, it cannot be proved that in 1552 the convocation considered anything beyond those alterations which turned the first book into the second. Heylin's extract from the acts says that it was debated among the prelates 'of such doubts as had arisen about some things contained in the Book of Common Prayer, more particularly touching such parts as were retained, and such as had been abrogated by the rules thereof: the form of words used at the giving of the bread, and the different manner of administering the holy sacrament.' These particulars answer to alterations that were made in the second book as compared with the first—several alterations in the calendar, the form of words used in giving the elements in holy communion, and the different manner of administering, as, *e.g.*, the kind of bread. In the act of parliament authorising the second book, which was passed at the same time, the same reason that Heylin gives is alleged for any revision whatever having been made: 'that doubts had arisen about some things contained in the (first) Book of Common Prayer' and 'the mistakers' are treated somewhat contemptuously, while it is indicated that in the second book a final point of alteration had been reached. The act says that the Book of Common Prayer was now 'made fully perfect,' and again that it was 'explained and perfected.' Between the convocation and parliament of 1552 and the publication of the second book nine months elapsed; it is known that in the interval something further was attempted by the interference of an obtrusive foreigner, John Knox; but the curious history of the 'Declaration on Kneeling,' commonly called the black rubric, is the history of the defeat of an attempt to rush an innovation; and the mind of Cranmer himself seems sufficiently declared by the sentence that dropped from him on that occasion: 'Is it wisdom to alter without parliament what has been concluded by parliament, at the bidding of glorious and unquiet spirits, who would still find faults if the book were altered every year?'⁵ In the following reign the martyr Taylor testified that the second book was held to be final and perfect: 'by one reformation [revision] it was fully perfected,' he said; 'no christian conscience could be offended by anything contained in that book.'

On the whole this is an important and valuable work. It is written in an excellent spirit, conciliatory and calm, which stands in contrast with the violence and bitterness of some Roman catholic tractates. But it is not the less a controversial work; and so far forth as it puts on a controversial it loses a literary tone and becomes unhistorical in phraseology. It is unhistorical to call one side only in the struggle of the Reformation by the name of catholic—'the catholics,' 'the catholic bishops,' and so on—making a great assumption as a matter of course. One misses such familiar designations as the old and new learning, which are sanctioned by literary use. It is unhistorical to explain, or explain away, the conduct of 'catholic' bishops in accepting the measures of the Reformation. Indeed, most of what is said of bishops—their position, their motives, their relations among themselves—constitutes the weakest part of the book. The reader feels that all is not there, the whole story is not told. But, when everything is said, this work is of great learning and ability,

⁵ Cranmer to the council: Perry's *Historical Considerations*, p. 77.

and adds much to our knowledge of one of the most memorable periods in the history of the English church. Two or three misprints may be noticed—'brevity' for 'beauty' (p. 26), 'Dixon, ii.' for 'Dixon, iii.' (p. 269).
R. W. DIXON.

Die Zusammenkunft von Bayonne. Das französische Staatsleben und Spanien in den Jahren 1563–1567. Von ERICH MARCKS. (Strassburg: K. J. Trübner. 1889.)

THE interview of Catherine dei Medici with her daughter and the duke of Alva at Bayonne has long possessed an irresistible fascination for writers of monographs. No sooner had the news of the massacre of St. Bartholomew gone abroad than it was directly ascribed to this meeting by those who had always suspected such a *dénouement*, and the theory of the close connexion between the two events still finds supporters. Of these, however, the author is not one. The result of his researches is the view that Catherine's anxiety for the interview was due to the desire to make herself safe on the side of Spain, and possibly to further the fortunes of her family by intermarriage. An understanding with the king of Spain for an offensive catholic movement would, it is urged, be out of consonance with the ceaseless labour of reconciliation during the preceding years and with the policy which succeeded the interview. For a whole fortnight Catherine resisted the pressure of her daughter and the Spanish envoys, who found support in the drastic proposals of the leaders of the French catholics. Within the last three days, however, of the interview, concessions were made which satisfied Alva and his master, though Granvelle and Alva exhibited some scepticism. The queen was prompted, according to the belief of the author, not by Alva's alleged threat that the king must lose his crown, or his brother Henry his head, but merely by her fear that the total failure of the interview would hinder the attainment of her ends. These concessions consisted in the engagement to accept the decrees of the council of Trent, and in an enigmatical promise of punishment or remedial measures. The latter, however, probably did not refer to the judicial murder or assassination of the Huguenot leaders—a scheme suggested by Montpensier's confessor and welcomed by Alva—but to the expulsion of the ministers and the subsequent enforcement of orthodoxy. The execution of these measures was postponed until the conclusion of the journey of the French court; but it seems probable that Catherine never seriously intended an act which would have been the inevitable signal for civil war. She hoped to elude the concessions in which her hand-to-mouth policy had involved her, and her opportunity for this was found in the outbreak of the rebellion in the Netherlands, which hampered the Spanish government. Alva's ominous phrase as to the fate of five or six Huguenot heads may well have rung in the queen's ears, concludes the author, when she was brought face to face with a fresh difficulty; but the great massacre was not the conscious conclusion to the interview. The indirect connexion is, however, fully admitted. The Huguenots from the first believed in the evil intentions of the two courts, and at once began to arm; their mistrust led directly to the second war, and so by stages to the murderous attack on Coligni.

Such is the result of the most patient researches in the enormous stores of printed and unprinted material with which it is the fate of the student of the wars of religion to grapple, and among which especial weight is given to the correspondence of Philip with his ministers in France. The author is not led astray by the craving for sensationalism too common among previous writers on this subject. Those who take slight interest in the solution of historical puzzles will find ample compensation in the admirable description of the condition of French religious parties and of the pacificatory measures of the queen dowager after the conclusion of the first war of religion. This is, indeed, as Herr Marcks rightly believes, the shell through which alone the kernel can be reached.

E. ARMSTRONG.

George Buchanan, Humanist and Reformer: a Biography. By P. HUME BROWN. (Edinburgh: Douglas. 1890.)

Scotland from the Earliest Times to the Present Century. By JOHN MACKINTOSH, LL.D. *The Story of the Nations.* (London: T. Fisher Unwin. 1890.)

BUCHANAN'S reputation is still respectable, yet why he should be called a worthy few nowadays can say. Of him it may be asserted with some truth, in the words of Voltaire, when speaking of a greater poet, 'his fame is still growing, because nobody reads him.' If he is not the king's jester in the chapbooks, he is the writer who shares the honour of a fabulous history of Scotland with a certain 'James Aikman, Esq.,' or the learned tutor who made James VI a pedant, or the man who played some part in the stirring reformation times, and forged, or did not forge, the Casket Letters. There is some excuse for this historical indifference. Latin folios are not so popular as they once were; and no one has hitherto told the story of Buchanan's life in a sufficiently interesting way. Though much has been written about him in his relations with Mary, it has been but to elucidate that prevalent theory which declares that the life-drama of the unfortunate queen is the alpha and omega of Scottish history.

The 'Memoirs' written by David Irving, of which a second and improved edition appeared in 1822, was indeed the only biography of any importance. It had the merit of learning, but it had great faults of style and construction. Almost every page was weighed down by foot-note erudition. The book had an appendix of at least 100 pages, and what of text remained was an array of long Latin extracts from the poems or wearisome digressions and reflections in the manner of the early years of this century. The treatment of the foreign portion of the life was unsatisfactory, and, on the whole, it gave the reader a very hazy picture of the age or its 'first poet,' though it contained more hard names and learned references than any other book of its size. The new biography by Mr. Hume Brown comes as a restorative after the heavy Irving. It does not, perhaps, contain many new facts, but it has put existing material to better use. The end of biography, as Gilfillan said, is to make the reader live with his hero. Mr. Brown has given us the means

of appreciation, so far as it is possible in the case of the most complex mind of the complex sixteenth century.

The title of Mr. Brown's book at once suggests the difference between the new and the old treatment of the subject. Its aim is in reality to give the reader some account of the great intellectual movement in Europe—especially in France and Scotland—in the sixteenth century, and to explain the part played therein by Buchanan; or, as Mr. Brown has it, 'to show what it was in Buchanan that won him the admiration of his contemporaries, and what share may be fairly assigned to him in the general development of the national life of Scotland' (p. 4). There is no doubt that Buchanan must be treated as primarily a humanist. We see him best in his friendship with men like Beza and Languet, and in the scholarly life preceding his return to Scotland in 1561. Even after that date, when political crisis gave little time for speculation, his humanistic instincts were often his chief guide. The expression 'reformer' is perhaps of doubtful propriety in his case; its exact meaning cannot be understood until we fully appreciate the signification of the other title. Though Buchanan differed from Casaubon and Scaliger in using his learning more in the eyes of the world than in the schools, and though by cast of mind as well as by circumstance he became a critic of men and manners, yet to us now he must be, first of all, Buchanan the Humanist.

It is therefore right that Mr. Brown should devote more than half of his number of chapters to the scholar-poet's life and work abroad. The material for this important section is unfortunately very scanty, and Mr. Brown at times is forced to give, as the best substitute, some pictures of academic life in Paris, Bordeaux, and other places, where Buchanan studied and taught. We are especially indebted to Mr. Brown for the extracts from the archives of the university of Paris (App. B and pp. 76-84) giving an account in Buchanan's own words of his proctorship there. We have in them delightful bits of the scholar's peculiar humour, and we get a glimpse into the daily round of duty and pleasure in the old scholastic community. The appetite is whetted by this biographic morsel, and we are prone to think that there may be many other items of interest to the student of Scottish history lurking in these old papers. It has probably been a mistake to expect to find everything in the Register of the Scots College. Mr. Brown, too, has cast a new light on the difficulty about the term *précepteurs domestiques*, applied by Montaigne to Buchanan, Muretus, Gruchius, and Garentaeus. Mr. Mark Pattison, in an article in the *Times*, afterwards elaborated in the first volume of his collected essays, explained away the notion that Montaigne had four resident tutors by saying 'that a foreigner may be permitted to conjecture that the form of speech called *gasconnade* had been employed by Montaigne.' Mr. Brown by his superior knowledge destroys the point of the late Rector of Lincoln's joke, and at the same time settles the doubts of the more staid Irving. In his sketch of the collegiate life at Bordeaux he explains that Montaigne was an *interne*, or boarder, with each of these teachers. By the constitution or custom of the Collège de Guyenne each regent had a number of boarders, whose studies they superintended after college hours, and from whom they received extra

fees. Montaigne as a member of that college had been an *interne* with Buchanan for some time, as he had been with Muret, Grouchy, and Guérente at other periods of his course. It is satisfactory to have the only known point of personal contact between Buchanan and Montaigne clearly defined and rescued from the confused notions about private tuition in the château of Montaigne's father.

The second or Scottish portion of the volume is concerned with old matters of historical and literary interest, including among others the vexed question of the Casket Letters. This controversy recently reached a further stage in the volume written by Mr. Henderson, and our author is content to let matters be as he found them there. He perhaps takes too much for granted, and is hardly respectful enough to the Marians by giving this topic little more than the space of two foot-notes, even though many will think he is right in saying of the charge against Buchanan that, 'apart from the absurdity of such a suggestion, as the controversy now stands, it is irrelevant' (p. 214 *n.*) He has a good chapter on Buchanan's early connexion with Mary—a connexion impossible to men of purer Scottish type like Knox—and on the development of the mood of the poem on the birth of Prince James into that of the 'Detectio.' He offers, too, a very fair criticism of the sentimental argument about Buchanan's ingratitude, used so often by the worshippers of the queen, and brings forward some hard facts about pensions and tutorial honours (p. 202). Mr. Brown is calm and sane in his defence, a mood rare among critics since the opening of this Pandora casket of partisan frenzies. 'In justifying the conduct of Buchanan,' he says, 'it will not be necessary to defame Mary;' and, though we may never get the solution of the Marian mystery, we may by his aid understand Buchanan better. People who are convinced of the ingratitude and harshness of the poet will readily smile when Mr. Brown asserts that it was in the spirit of humanism that Buchanan wrote his 'Detectio,' just as others may be amused at the defence of the poet's erotic muse. As we are necessarily denied the requisite evidence on such delicate personal questions, we are at liberty to work out our own solutions. We feel justified in accepting Mr. Brown's careful and sympathetic explanation. Buchanan's sneer at Major, his coarse satire, his naughty verse, his bad conduct towards Mary, are not so real as they seem.

Mr. Brown has devoted considerable space to the literary aspects of his subject. His translations of the poems, especially the epigrams, are vigorous and accurate; and his chapter on 'De Sphaera' and other verse is a clear and consistent argument according to the principles of his inquiry. Chapter xvii., on the 'De Jure Regni apud Scotos,' will serve as an introduction to that deeply interesting subject—of which some account is yet to be written—the development of political theory in the sixteenth century. It is a strange fact that from the communings of two men who met in the relation of tutor and pupil there should have been elaborated those two great theories of state which were to buffet each other so strenuously for a time, and to divide other realms than Scotland.

Although this new Life has none of the faults of irrelevancy and pedantry to be found in Irving, it is sometimes too discursive, especially in the portions dealing with foreign university life. The danger can hardly be

avoided when the treatment is so much one of analogy, and when personal details are wanting; yet there are passages which might have been compressed or put into notes with considerable advantage. Chapter xix., on the 'Correspondence,' which gives the greatest promise of literary finish, is perhaps the weakest. When all its paragraphs are regularly introduced with the plain words, 'The following letter,' it becomes hardly more readable than a page or two of Ruddiman or a Treasury Calendar. Hurry may be the cause of this blemish near the end of the volume; for elsewhere Mr. Brown has interwoven the literature of Buchanan, whether in the form of spirited translation or transcript, in a most interesting way. Many of his readers will regret that he has omitted a bibliographical section in his Appendix, bringing up to date the excellent list in the edition of 1715 and the supplement in Irving. It is, however, almost a literary fault as well as a critical hardship to speak of shortcomings in a brief notice of this most welcome book. In outward appearance it is well-favoured, and, despite the uncouth vignette on the title page, recalls the beauties of Professor Schiern's companion volume on Buchanan's notorious contemporary.

From Mr. Hume Brown to Dr. Mackintosh is a long step. The latter has obviously no eye for true historical perspective, nor much notion of the importance of proportion. For example, what excuse can be offered for giving but one page (p. 100) to the whole reign of James IV in a volume of 328 pages? Again, we have only two pages (pp. 178-9) on the momentous period between 1603 and 1625, and in them the paltriest summary of the ecclesiastical policy of James VI without a word about the political turmoil of the time. There is enough picturesque material for a popular history in the story of the persecution of the Macgregors. Our annoyance at such indifferent treatment is much increased when we find that the Disruption in 1843 is allowed over ten pages. Dr. Welsh, doubtless, played an important part in the history of modern Scottish thought; but to be told that he 'wore his Moderator's dress when he appeared in the street on May 18, 1843,' that he went 'through Hanover Street to Canonmills, where a large hall was erected for the reception of the disestablished Assembly,' and that a hundred other little things happened, is intolerable in a single-volume 'History of Scotland from the Earliest Times.'

However difficult it may be to form an estimate of the character of James III, the problem certainly requires more attention than it receives from Dr. Mackintosh. We should also expect something on the results of the battle of Flodden beyond the mere slaughter of nobles and knights, and something about the border relations between England and Scotland after that disaster. Yet our author is silent.

Some of the better known episodes are told in a fairly interesting way, but the general style of the writing is poor. The catalogue of facts jotted down on p. 21 *et seq.* is unreadable, and is far behind the professed annals of Hailes in impressiveness and value. It is unnecessary to say 'that the relation of the crown and the church (in the twelfth century) was closer than in modern times' (p. 27); and ludicrous to point to the 'convenience and advantage of only one coinage and standard of money for the island,' as one of the chief benefits of the Union (p. 275). To

describe the famous 'Ainslie supper' by saying that 'Bothwell invited the nobility to a banquet at an hotel in Edinburgh, and a large party attended' (p. 153), is almost as absurd as to preface his sketch of a few poetical remains by telling his readers that 'a transition from history to poetry is natural, as the two branches have many points of contact' (p. 311). Why, too, does Dr. Mackintosh make such slight use of the national literature in his volume? There is no elucidation whatever by means of the verse or prose of writers like Dunbar and Lyndsay, so valuable to the historical student.

The selection of the illustrations is certainly not the best possible; and it is all the more culpable when the publisher has gone to the expense of reproducing no fewer than sixty plates. What is the object of showing us the 'Monument to C. H. Bell on the Banks of the Clyde,' 'Scur-na-Gillian,' '45 Guest Row, Aberdeen,' and others of the same character? We might pardon this if the reproduction had been carefully done. But who can recognise Buchanan on p. 175, or Scott on p. 317? To smear a page as p. 262, and call it Bothwell Castle, is a scandal. We have spoken strongly, and we regret the occasion; but when an author gives us a 'story' of Scotland inferior in treatment and accuracy to Miss McArthur's book for young people and many less valuable text-books, and when a publisher presents us with plates which look as well upside down as in the intended position, we have a right to complain, and to complain in no doubtful manner.

G. GREGORY SMITH.

A Historical Sketch of the Conflicts between Jesuits and Seculars in the Reign of Queen Elizabeth; with a reprint of Christopher Bagshaw's '*True Relation of the Factions begun at Wisbech*,' and Illustrative Documents. By THOMAS GRAVES LAW, Librarian, Signet Library. (London: David Nutt. 1889.)

THE religious history of the reign of Elizabeth requires a minute study of details before its main outlines can be clearly discerned. It is easy to deal with it in the light of general principles, but great care is needed before we can discover exactly where to apply them. There was much in the policy of Elizabeth's government which wore the appearance of religious persecution; but Elizabeth stoutly maintained that punishment was inflicted solely for treason, and never for religious opinions as such. The Romanists, then and since, were anxious to brand her as a persecutor and to claim a plentiful crop of English martyrs. The validity of the pleadings on both sides still needs careful sifting. The issue is complicated, and each case requires to be considered on its own merits.

There is, however, one point of great importance which Mr. Law has brought into due prominence. The English Romanists were by no means united, and the success of Elizabeth's policy did not so much depend on the stringency of its repression as upon the shelter which it gave to the moderate party, who did not wish on the grounds of religious belief to cast away the obligations of English citizenship. Doubtless Elizabeth at the beginning of her reign hoped that this would be the attitude of all who secretly adhered to the old religion; but the flight to the continent of fervent spirits raised up a body of exiles who dreamed of the reconquest

of England for the papacy. The English mission fell into the hands of the Jesuits, and the excommunication of Elizabeth absolved the English Romanists from their allegiance to an heretical queen, and aimed at binding them into a compact body, ready to do the bidding of a foreign power. How they fared during the course of the internecine conflict which now began between the English government and Jesuit emissaries is a matter of general history. Mr. Law has called attention to the breach which was formed between the Jesuits and the secular priests. The records of this conflict are most important because they show the nature and development of different tendencies amongst the English Romanists. They show that the Jesuits were mistaken in their estimate of the English character. They show that the papal policy was ill-directed. Above all, they show that the action of Elizabeth's government was on the whole successful; that the English Romanists discovered for themselves a means of reconciling loyalty with their religious convictions, and that the Jesuits were not long allowed to direct the course of the English mission. Mr. Law's valuable Introduction must be read to be appreciated. The records of the 'Troubles at Wisbech' have mostly been forgotten, and are only known in outline to the readers of Tierney's edition of Dod's 'Church History.' Mr. Law prints the contemporary account given by Christopher Bagshaw, which enables us to see that the struggle between the two parties was severe and rested on fundamental differences. It was not merely a difference about trivial points, wherewith the prisoners in Wisbech castle beguiled the hours of their captivity; it was a struggle whether or no the Romanist clergy in England should maintain their independence or become mere creatures of Parsons and his friends, receiving their orders from Madrid rather than from Rome. The exact points in dispute are too minute to be discussed in a short notice, and every one interested in the question must follow its details in Mr. Law's pages. For eight years the battle raged with varying fortunes. It ended in the form of an appeal to the pope, who gave a decision which left the victory with neither party. The records of that appeal have been consulted by Mr. Law; but they are yet unpublished, and it is much to be hoped that Mr. Law will continue his labours till he has given us the complete materials or the whole story.

Mr. Law has all the qualities necessary for an editor, and his notes show a mastery of all the literature of a somewhat obscure period. It is not given to every one to understand the bearings of a complicated ecclesiastical quarrel. Mr. Law has made his story not only clear but interesting. His book may rank as a supplement to Simpson's 'Life of Champion.' It is well to know all the details of the Jesuit interference in England, and Mr. Law's documents speak more forcibly than his text. We cannot praise too highly the care with which his book is written and the skill with which he illustrates all important points. His conclusions will greatly affect the judgment of popular historians in the future on the religious history of Elizabeth's reign and on the beginnings of English Romanism as an organised body.

M. PETRIBURG.

De Sleutels van de Sont. Door Dr. G. W. KERNKAMP. ('s Hage: Martinus Nijhoff. 1890.)

THE Dano-Swedish war of 1643-45 was in reality not so much a side issue of the gigantic struggle, which was then convulsing Europe, and in the story of which it occupies a subordinate place, as an episode in Scandinavian history. It was the last despairing effort made by, perhaps, the greatest of Danish kings to resist Swedish supremacy in the Baltic. Its chances of success, however, never very great, were rendered absolutely hopeless, when yet a third power, whose interests in the Baltic were greater than those of Sweden and Denmark combined, stepped between the combatants with an offer of mediation, which was supported by the presence before the harbour of Copenhagen of a powerful fleet. This third power was the United Netherlands, and Dr. Kernkamp in the work under review has set forth, more fully and accurately than has ever been done before, the motives and causes of this armed intervention.

The grievance was an old one. The kings of Denmark had for centuries been accustomed to levy a toll on all vessels passing through the Sound. This toll was their private property, and the main source of their revenue, but just in proportion as it was valuable to them, was it vexatious and harassing to the 'Eastern traffic,' as the Baltic trade was called by the Dutch, in whose hands during the sixteenth and seventeenth centuries it chiefly lay. Disputes and altercations were frequent, and with the rapid growth of Netherland commerce grew in intensity. At length the arbitrary conduct of King Christian IV, who in the decade from 1629 to 1639 changed the tariffs no less than eight times, brought matters to a crisis. A strong protest was made by the States on behalf of the shipping interest. Negotiations ensued, and were dragging their slow length along, when news arrived of the sudden outbreak of the Dano-Swedish war. The government of Queen Christina, aware of the hostile intentions of the Danish sovereign, had resolved to forestall his combinations, by ordering Torstenson to invade Holstein. Oxenstierna deemed it the wisest policy to precipitate a trial of strength that was inevitable, and relying upon a treaty, which had been concluded, Sept. 1 1640, between Sweden and the United Provinces, for mutual support 'in assuring the safety and freedom of transit and commerce in the north and Baltic seas,' called upon his allies for assistance in carrying out the agreement. Had the decision lain with the merchants of Holland, the reply to his appeal would have been prompt, but the stadtholder was averse. Frederick Henry was preparing a great expedition for the capture of Antwerp, and he was unwilling to sanction any course which would divide the forces of the republic and interfere with the project on which he had set his heart. The states-general were completely under his control, and supported his views, but the Hollanders were obstinate. They were naturally far more anxious to lessen the burdens upon their Baltic trade than to set up again a rival to Amsterdam upon the banks of the Scheldt; and they held the purse-strings. In order, therefore, to secure his own ends, the prince found himself obliged to have recourse to compromise. War with Denmark must, if possible, be avoided, but it was agreed, in order to satisfy the states of Holland, that a special embassy

should be sent with instructions to mediate between the contending powers, and to take advantage of the difficulties of King Christian, by impressing upon him the necessity of a speedy and equitable settlement of the tolls question. At the same time, a powerful fleet was fitted out and placed under the command of Admiral Witte de With, with orders to convoy the Dutch merchantmen safely through the Sound without the payment of any dues, the expenses of the expedition to be refunded by means of a charge levied on each vessel at the port from which it sailed. The admiral was further required to keep a register of all vessels passing Elsinore, with a view of making good to the king of Denmark his loss of revenue on the basis of the new treaty of commerce, as soon as it should be signed and sealed.

The narrative given by Dr. Kernkamp of the admirable way in which the Dutch commander discharged his very delicate mission is largely drawn from De With's own journal and other hitherto almost unused sources of information. It is needless here to enter into details. Suffice it to say that the plan of campaign in this instance was carried out without a single hitch or the firing of a shot, and that the policy of coercion was successful in its aims. The Netherlands, with practically no cost to themselves, were enabled to compel King Christian to lower the tolls, and accord them the privilege they sought, without, at the same time, any undue disturbance of the balance of power in the Baltic.

In one of the *addenda* to this volume the author gives an analysis of the authentic register, which was kept by the Admiral, de With, of all the in- and out-bound vessels which passed while he occupied the entrances of the Sound from 19 June to 16 Nov. 1645. This document is of great interest, as showing with absolute accuracy the amount of the shipping of each nation, together with the freight and destination, and it speaks eloquently as to the enormous preponderance of the Dutch carrying trade at that epoch over that of all other countries combined. The total number of vessels which entered the Sound from the North Sea is found to be 1,035: of these all but 49 are Dutch; 538 merchantmen hail from Amsterdam, only 11 from London.

A Dutch envoy is reported to have said, 'I have seen the wooden keys of the Sound (*de houten sleutels van de Sont*) lying in the haven of Amsterdam;' the allusion here (probably) made to the war vessels of De With suggested to Dr. Kernkamp the title of his work.

GEORGE EDMUNDSON.

The Constitutional Experiments of the Commonwealth: a Study of the Years 1649-1660. By EDWARD JENKS, B.A., LL.B., Fellow of King's College, Cambridge, Professor and Dean of the Faculty of Law in the University of Melbourne. (Cambridge: University Press. 1890.)

In an essay which obtained the Thirlwall prize in 1889 Mr. Jenks sketches the attempts made to embody in English institutions the new ideas which the puritan revolution introduced into English politics. The great merit of the book lies in the author's endeavour to exhibit in its true proportions the political influence of the army during the Commonwealth and Protectorate a subject generally ignored or misunderstood by

constitutional historians. But though the main conception of the essay is sound, and though it contains much good work, its execution is in many points defective. A study of the constitutional experiments of the Commonwealth and Protectorate should begin with 1642 or 1647 rather than 1649. The key to the political revolutions of 1649–1660 is to be found in the antagonism between the views of the parliament and the army. The fundamental idea of the declarations of the former had been to establish the sovereignty of parliament as representing the nation. When the army and the parliament came into collision the army set up against this the theory of the rights of the individual Englishman, which it tried to secure by limiting the powers of the sovereign, whether king or parliament. This purpose inspires the political manifestoes of the army and the different constitutional schemes which it sought to impose on England. The nearest approach to a 'Declaration of the Rights of Man' in English history is to be found in the reservations set forth in the eighth and ninth articles of the 'Agreement of the People.'

So far as institutions are concerned, most of the experiments of the Commonwealth and Protectorate are suggested in the army manifestoes of 1647. The abolition of the monarchy and the house of lords—the negative side of the revolution—was imposed on the parliament by the army. The desires of the civilian members of the long parliament did not go beyond the establishment of an aristocratic republic. 'Aristocracy,' says a pamphlet, 'or this government of a Commonwealth the parliament have set up is the most even and just government that any men have yet come to the knowledge of, it being a middle state between popular anarchy and prerogative tyranny.'¹ Their ideal of a commonwealth was not Holland, as Mr. Jenks suggests, but rather Venice, as the writings of Harrington show. Marvell's poem entitled 'Britannia and Raleigh,' in which Britannia promises to imitate the 'serene Venetian State,' supplies a good example of this. The one new institution in the organisation of the Commonwealth was the council of state, suggested no doubt by the precedents of the committee of safety and the committee of both kingdoms, but first formally demanded in the 'Heads of the Proposals' of the army (August 1647). So too with respect to the 'little parliament,' generally known as Barbone's parliament, which Mr. Jenks terms 'a great council similar in idea to the pre-parliamentary councils of the Angevin kings, but summoned on a different principle' (p. 68). The first demand for an assembly of this kind appears in the declaration of the army of 14 June 1647: 'We cannot but wish that such men, and such only, might be preferred to the great power and trust of the Commonwealth as are approved at least for moral righteousness, and of such we cannot but in our wishes prefer those that appear acted thereunto by a principle of conscience and religion in them.' A similar moral qualification is stipulated in the seventeenth article of the 'Instrument of Government.' The process by which the members of the 'little parliament' were got together is hardly stated with sufficient clearness by Mr. Jenks. 'After consultation with the principal Independent ministers Cromwell issued a number of summonses to the persons they recom-

¹ *A Short Discourse between Monarchical and Aristocratical Government*, 1649.

mended' (p. 69). The precise method by which they were selected seems to have been this: The officers had announced in their declaration of 22 April 1653 their purpose 'to call to the government persons of approved fidelity and honesty.' In reply to this, or possibly to some more direct summons, the people of the different counties recommended certain persons to the council of officers. There are many examples of these responses. For instance, six persons are recommended on behalf of Suffolk, five of whom were ultimately summoned; and the recommendation is said to be 'signed in the name and by the appointment of several of the churches and many of the well-affected from all parts in the county of Suffolk.' Kent recommends five persons, two of whom are ultimately summoned, and the recommendation is signed by the delegates of nineteen specified 'churches.' The reply of the people of Bedfordshire says, 'Understanding that it is in your hearts to establish an authority consisting of men able, loving truth, fearing God, and hating covetousness, and having had some experience of men with us, we have judged it our duty to God, to you, and the rest of his people humbly to present two men, now justices of peace in our county, whom we judge in the Lord qualified to manage a trust in the ensuing government.'² From the list thus obtained the persons to be summoned were nominated, after discussion in the council of the army, 'in the choice of which persons such indifferency was used, and so equal liberty allowed to all then present with the Generall, that every officer enjoyed the same freedom of nomination, and the majority of suffrages carried it for the election of each single member.'³ The last-quoted pamphlet, which Mr. Jenks does not seem to have noticed, gives the precise nature of the objections which Cromwell and the governing part of the army had to make against the legislative schemes of the 'little parliament.' That assembly itself is ably defended in a tract entitled 'An Exact Relation of the Transactions of the Late Parliament,' by L. D., 1654. This 'Exact Relation' was written by Praisegod Barbone himself.⁴

The 'Instrument of Government,' under which, in December 1653, Cromwell became Protector, was still more directly and entirely the work of the officers of the army. It embodied the ideas set forth in the 'Heads of the Proposals of 1647,' and in the 'Agreement of the People' of 1648, with certain alterations and additions, mainly caused by the necessity of adapting them to the government of 'a single person.' Ludlow attributes its authorship almost entirely to Lambert, but references in the 'Domestic State Papers' show that Thurloe was the person employed to put it into legal shape. The elaborate exposition of the new constitution, given in the above-mentioned 'State of the Case of the Commonwealth,' explains the object of its different provisions, and traces some to their source in the earlier manifestoes of the army. One object was 'to reduce us (as near as may be with most convenience) to our ancient way of government by supreme magistrates and parliaments.' The special merit of the 'Instrument,' and the great guarantee for freedom under it, is said to consist in the separation of the legislative and executive

² *Milton State Papers*, pp. 92, 94, 96.

³ *A True State of the Case of the Commonwealth*, 1654, p. 13.

⁴ *A Faithful Searching Home Word*, 1659, p. 17.

powers, the former being vested in a constant succession of parliaments elective by the people, the latter in an elective lord protector and his successors assisted by a council. 'Placing the legislative and executive powers in the same persons,' says the pamphleteer, 'is a marvellous inlet to corruption and tyranny; whereas the keeping of these two apart, flowing in distinct channels, so that they may never meet in one (save upon some transitory extraordinary occasion), there lies a grand secret of liberty and good government.' This is a curious anticipation of the maxims of Montesquieu. Another point on which the framers of the constitution specially insisted was provision to prevent it from being altered by future parliaments. It was necessary, says the pamphleteer, 'to prevent those foundations of freedom that have been but newly laid' from being overthrown, 'especially in such an age as this, wherein men are very apt to be rooting and striking at fundamentals, and to be running out of one form into another . . . which being considered it was high time some power should pass a decree upon the wavering humours of the people, and say to this nation, as the Almighty himself said once to the unruly sea, "Here shall be thy bounds; hitherto shalt thou come and no farther."' ⁵

The author justifies this by quoting a similar provision from the 'Agreement of the People.' This explains the hostility with which the officers of the army regarded the attempts of parliament to revise and alter the 'Instrument of Government.' 'They will live and die,' writes Thurloe in November 1654, 'to maintain the government as it is now settled, and possibly they may be too severe upon that point, not being willing to part with any tittle of it.' In dissolving his first parliament, and protesting against its attempts to alter the 'Instrument,' Cromwell exactly fulfilled the intentions and desires of those who had placed him in power. On the other hand, when he joined his second parliament in altering the constitution by means of the 'Petition and Advice,' he caused great discontent amongst the officers, and Lambert and others went permanently into opposition.

Along with much excellent work the book contains a considerable number of erroneous statements, which it is to be hoped the author will have an opportunity of correcting in a second edition. On p. 19, for instance, Mr. Jenks speaks of the so-called 'Calves-Head Club,' as if it were a real society existing during the Commonwealth. In his account of the organisation of the army, on p. 15, there are some serious misconceptions. He represents it as governed in 1649 by a council and an assembly. 'The great political idea of the Aryan race, the bivalve of senate and assembly, had found expression there, and was regarded as a precious possession. A council of superior officers, and an assembly of agitators, consisting of two delegates elected by each troop, represented the political thought of the army, and jealously was any interference with this constitution resented. This view is probably based on a mistake of Clarendon's, who represents the army as governed in 1647 by a council of officers, resembling a house of peers, and an assembly of agitators, who were to be as a house of commons to the council of officers.'⁶ If a separate assembly of agitators existed at all, it only existed for a few

⁵ *A True State etc.*, pp. 10, 34, 51.

⁶ *Clarendon*, x. 82.

weeks of May 1647. From 5 June 1647 the governing body of the army in political matters was an assembly composed of officers and agitators sitting together, consisting of those general officers of the army who had agreed with the army in certain demands, with two commissioned officers and two soldiers to be chosen for each regiment. Side by side with this organisation existed the old council of war, composed of the superior officers, and there were also committees of officers appointed from time to time by Fairfax for different purposes. But the functions of the council of war were purely military, and it exercised no control over the decisions of the council of the army. This 'General Council of the Army,' as it was officially termed, held its last sitting on 8 Jan. 1648. The petition of Ingoldsby's regiment (October 1648) proposes the re-establishment of a general council of the army, but as re-established in November 1648 it consisted solely of officers. Agitators representing the private soldiers were not readmitted. Thus in 1649, when the Commonwealth began, the army was governed and represented in political matters simply by a council of officers, and continued to be so represented till the Restoration.

Mr. Jenks has also fallen into error in his account of the 'Agreement of the People.' There were, roughly speaking, three different documents known by this name. The first, probably drawn up by John Wildman, was published in October 1647, and consisted of eight articles, containing the demands of the extreme party amongst the soldiers. The second, the document presented to the parliament in January 1649, was drawn up by the council of officers, and might be termed Ireton's 'Agreement of the People.' The third, in most respects simply a more radical version of the second, was mainly the work of John Lilburne. The variations between the second and third represent the difference between the views of the Levellers and the views of the governing part of the army. The second and third agreements are reprinted in the 'Old Parliamentary History' (xviii. 516, xix. 111). The second agreement gave the suffrage to persons 'such as are assessed ordinarily towards the relief of the poor' and are 'housekeepers dwelling within the division for which the election is.' The third gave votes 'to all men of the age of twenty-one years and upwards, not being servants or receiving alms, or adherents of the late king.' Moreover the third differed from the second in the number of restrictions it imposed on the action of the supreme authority; about a score of clauses begin, 'That it shall not be in the power of any representative' to do such and such things. Mr. Jenks gives a summary of the second agreement on p. 25, but abstracts the document laid before the council of the army at the beginning of December 1648 instead of that document as it was presented to parliament in January 1649, after it had been debated and revised by the officers. He omits to notice the agreement of November 1647 altogether, and substitutes for the third an abstract of Lilburne's pamphlet 'England's New Chains Discovered,' which he styles, rather unhappily, 'the scheme of the congregations.' In reality it was simply the manifesto of the levellers, and, though a few congregations of Anabaptists agreed with them in adopting it, to term it the scheme of the congregations seems to imply that the Independents in general supported it.

In conclusion special attention may be drawn to an admirable passage on pp. 2-5, in which Mr. Jenks points out the effect produced by the administrative experience acquired during the interregnum on the attitude of later parliaments.

C. H. FIRTH.

Seven Essays on Christian Greece. By DEMETRIOS BIKELAS. Translated by JOHN, MARQUESS OF BUTE, K.T. Reprinted from the *Scottish Review*. (Paisley and London: Alexander Gardner. 1890.)

THESE essays travel rapidly over the ground of Finlay. The first three deal with the 'Byzantine' Empire, the fourth with Greece under Turkish rule, the fifth with the revolution and the formation of modern Hellas, the last two with the territorial demarcation of the new kingdom and the future of south-eastern Europe. M. Bikelas writes vigorously but moderately. We should certainly not have remonstrated if he had said much harder things about the fetish of the integrity of the Turkish empire. But this is not the place to enter upon the dangerous borderland of politics and history. We are glad to see that M. Bikelas entertains a more sensible view than many of his countrymen on the Fallmerayer controversy. He touches only once, and slightly, on this sore subject, but there he makes the reasonable remark that 'it would have been no disgrace to the Hellenes to receive an accession of foreign blood' (p. 23). This is a good sign; it is also a good sign to find M. Bikelas looking forward rather than backward, and teaching the new Hellenes that they 'must not rest satisfied with having a glorious ancestry.' He seems inclined to think that there may be more useful lessons for them to learn from the Basils and the Constantines than from Pericles and Demosthenes. He recognises fully the work, not of creation but of salvation, that was wrought by the Roman empire in its later ages. And he traces very clearly how the idea of restoring that empire—an idea which caused many strange schemes from the days of Charles VIII to the days of Catherine II—was mother of the idea of a new Hellas, and how the younger idea emancipated itself from the elder. 'Even as late as 1821 there was as much of the Byzantine tradition as of the Hellenic idea in the minds of those who prepared the outbreak of the national movement' (p. 264).

There is not much to criticise in historical details. It is strange to find *τοὐρμαρχης* (captain of a *turma*), translated *mob leader* on p. 67. This looks like a confusion with *turba*. One is accustomed to Rhangabé, not 'Rhangabes' (p. 7), as the name of the first Michael. On p. 26 there is a statement which would please M. Vámbéry: 'The Magyars or Hungarians are another Turkish tribe;' but what would Budenz and Hunfalvy Pál and the majority say?

It remains to add that the translator has done his part so well that one never feels that the essays were not originally written in English.

J. B. BURY.

Economic and Social History of New England, 1620-1789. By WILLIAM B. WEEDEN. (Boston and New York: Houghton, Mifflin & Company. 1890.)

MR. WEEDEN is already known to students of New England history. He has contributed to the series of monographs published by the Johns Hopkins university a careful and business-like study of the part which wampum, the shell money of the natives, played in the early trade of the American colonies. That study is incorporated in the book before us. Each is a good illustration of the excellent work which is being done by specialists in the field of American history. The materials for that history are being unearthed, sifted, tested, and methodically arranged by writers who have a clear perception of the relations between their own separate departments and the greater subject in which these departments are included. It is not an easy task to make a work such as this of Mr. Weeden's consecutive, to give it a distinct thread of unity, and to save it from being a mere collection of statistics and isolated facts. Mr. Weeden has taken the best course for avoiding these evils. He has broken up the economical history of New England into successive epochs, and he has shown how the changes which marked off each epoch from the rest corresponded to changes in the general history of the Puritan colonies, and how economical development and general growth were connected.

In a colony the importance of economical questions is not perhaps more real than in an old country, but it is more immediate and more obvious. It may be safely assumed that many of the inhabitants of a colony have chosen it as their home on commercial and economical grounds. This is indeed less true of New England than of most colonies. Yet even while New England was under the full dominion of the religious impulse the Puritan who chose it for his home was in four cases out of five influenced in part by commercial motives; and there, as in other colonies, the absence of many of the complex influences and varied motives which determine men's actions in an old country, gave economical causes more freedom and greater power over the life of the community. In a colony, too, the attainment of a certain degree of wealth and a certain standard of material well-being is a needful condition which must precede the development of other pursuits and other forms of national life. Moreover, the conditions of life in New England were such that commerce necessarily begat commerce with exceptional quickness and certainty. There were few of those tastes and habits which turn the active producer or his successor into an idle consumer. The rich merchant might build himself a mansion, and surround himself with such modest luxury as was permitted in a society which broke away slowly and cautiously from the social restraints of Puritanism. But neither politics, art, nor sport held out any openings for unproductive expenditure. Thus we have an energetic money-making and thrifty population ever on the look-out for new channels of trade, and as a consequence we have a commerce growing by a process of peculiarly steady and regular expansion.

This process it has been Mr. Weeden's task to trace and describe. Such a work cannot fairly be illustrated or judged by extracts. The very nature of the subject affords few incidents, and individual characters fall

into the background. It is no disparagement to Mr. Weeden to say that he has none of that marvellous power of narration which enabled Macaulay to invest such unpromising episodes as the calling-in and re-issue of the silver coinage, and the establishment of the Bank of England, with vivid reality and dramatic interest. Mr. Weeden has given a certain personal interest, an effective definiteness, to his work by choosing out certain conspicuous figures in the mercantile life of New England, and using them as illustrations of the epochs to which they belong.

John Hull, the master of the Massachusetts mint, founded by the colonial government in 1652, serves Mr. Weeden as a type of his age. He belongs to the generation which immediately followed the founders. It had been the aim of Winthrop and Endicott and their fellows to consecrate the energies of the community and the individual to the task of building up a Christian Sparta. Their successors aimed at a sober and even austere morality, but material considerations entered largely into their public and private life. Mr. Weeden gives extracts from Hull's letters which show the old and the new grotesquely blended. The writer, like the Prologue to *Pyramus and Thisbe*, 'knows not the stop.' He is advised to freight a vessel to the Canaries, but declines. He would 'more and more affect and imbrace opportunity of getting out rather than running into the buisnesses of this world specially forraigne traffique as desirous to be more thoughtfull of launching into the vast ocian of eternity.' He differs too from his correspondent on a question of freighting, but he will not press his own view too confidently. 'It is hard to forsew what will be and therefore it is best willing to submit to the great governing hand of the great governor of all the greater and lesser revolutions y^e wee, y^e poore sons of men are involved in by y^e invoice yow see y^e whole amounteth to 405 : 16 : 3.'

In Hull we see something of the versatility of the New Englander, his readiness to strike out in new channels of trade. He had been brought up in London as a goldsmith, and thus acquired the skill which fitted him for his post at the mint. In New England he is both a farmer and a merchant. He owns a large enclosed tract in Narragansett, where he breeds horses for exportation to the West Indies. He sends fish to Spain, logwood to London, and Virginian tobacco to Ireland, bringing back salt, iron, and English dry goods.

The next century opens with a sketch of a Boston merchant, which well illustrates the progress of forty years. Hull was a Massachusetts Puritan who traded. Thomas Amory was a native of Limerick, a South Carolina man by adoption, who at the age of thirty-five settled at Boston, because he found it the most convenient centre for a varied and wide-reaching commerce. He had a warehouse in Boston, he was a landed proprietor in Maine, in South Carolina, and the Azores. Such men must have brought in a diversity of tastes and experiences wholly unknown to New England of the Puritan days.

We see this even more markedly twenty years later in the case of Peter Faneuil. His ventures are perhaps not more varied than Amory's, but they are on a larger scale. They also illustrate some of the less pleasing features of New England trade. A very large portion of

Faneuil's trade was contraband. He evades duty on French brandy, on Barcelona linen, on indigo and rum. He was, in fact, a dignified and reputable smuggler on a large scale. And his dealings with Guinea for negroes remind us of what Mr. Weeden has pointed out, that natural conditions of soil and climate, far more than moral principles, kept New England free from the taint of negro slavery.

The Faneuil ledgers too are interesting, as they show how wealthy Bostonians were more and more becoming dependent on luxuries imported from the mother country. Silk hose, fur coats, razors, spectacles, candlesticks, cutlery for the table, and cookery books, all find a place in Faneuil's very miscellaneous invoices. New England was a horse-breeding country, yet we find Faneuil importing English coach horses, as well as a coachman, and a set of bits. All the tastes thus indicated must have brought a wealthy New England merchant far more into sympathy with the English officials in the colony than with New Englanders who kept to the homely life of their forefathers. Mr. Weeden tells us also that Faneuil invested a substantial portion of his savings in English securities. These two sets of considerations go far to explain the so-called Toryism of the rich merchants in the War of Independence. Many of them had both their heart and their treasure in the English connexion.

On the other hand the influence of such men must have been powerful in weaning New England from the narrowness of early Puritanism, and fitting her for the part which she had to play on a wider stage. One could hardly find a more noteworthy landmark than the ceremony mentioned by Mr. Weeden, an 'ordination ball.'

Mr. Weeden also reminds us that the doctrine of social equality, and all the political consequences which that doctrine brought with it, were very largely due to economical causes. As he says, 'the first generation [of New Englanders] worked most conscientiously and carefully to keep the strong ties of rank and social prestige brought over in the persons of clergymen, squires, merchants, and men of substance.' Mr. Weeden gives a singular instance of this. 'In 1667 the five persons appointed by the court to lay out the town [of Swansea in Plymouth] assumed the power of dividing the inhabitants into three ranks. Committees appointed by the town continued this, and seem to have exercised the authority of censors and have degraded and promoted from one rank to another at discretion.' One outward and visible mark of this distinction was that the members of each rank paid different amounts for fines. Such a system, however, could never stand against the vigorous competition for wealth in a community where artificial advantages and monopolies were few. As Mr. Weeden says, 'there were institutions of property; no institutions of rank.'

The sketch of Peter Faneuil furnishes one or two conspicuous illustrations of Mr. Weeden's less commendable qualities. He endeavours to give what would probably be called vividness to his description by passages in which he talks of 'Peter's fair round belly' and 'his stout thighs.' Nothing is gained; the characters of history are not made more living by writing of this sort; men, unless they have the misfortune to write in a 'society' newspaper, do not think of their contemporaries in this fashion. In the same way Mr. Weeden indulges here and there in purple patches

of astounding and wholly uncalled-for splendour. The first baby in a family is always a nobler creature than any baby that ever preceded it, and it would be inhuman to sneer at such natural and amiable enthusiasm. But Mr. Weeden carries pride in the first-born rather far in his description of the sixty-ton vessel which John Winthrop launched at Mistick in 1631. 'The dove of peace hovered upon her white-winged sails; ample Ceres nestled on the corn stowed within her narrow hold; the Lares climbed her slight spars, and hung about the smoke of her homely fore-castle; every rope of her simple rigging bound the community more closely; while at her helm the genius of her master directed her onward towards a brighter and better future for all mankind.' There is the same profusion of not very appropriate metaphor in a passage which tells how George III, 'clutching hard at the tattered shreds of prerogative, made yet worse the jangling discord.' One is reminded of the rat which Sir Boyle Roche smelt brewing a storm, and proposed to nip in the bud. Such blemishes are the more annoying as they mar a very sound and business-like style. Mr. Weeden's natural paces, to use Di Vernon's simile, are far preferable to his complimentary amble. He tells his story not with any special brilliancy, but in a sound, clear, businesslike fashion which does not need to be embellished by the arts either of the interviewer or the Fourth of July orator. But Mr. Weeden seems, like some other writers on American history, to have an uneasy suspicion that his subject is dull and that it must be made lively and picturesque. Mr. Weeden is not content with the good things which American history can give us. He must needs offer us in its name good things which no reasonable man ever asked from it. He tells us that 'if we had the whole record of the doings of the congregations in classifying and seating their members, it would picture forth the social life of New England in our period. Aristophanes' comedies would not be more entertaining.' One can only borrow the language in which Dr. Folliott denounced the claims of the modern Athens and say that 'the assumption is a personal affront to every man who has an Aristophanes in his library.' The real truth is that colonial history is wanting in the elements of what is commonly called picturesqueness and dramatic interest. Such as there is disappears with the extinction of the first generation of Puritan settlers. After that there is little variety of incident, no vivid contrasts of character and situation. But that is fully made up for by the rich field of study opened to those who wish to study institutions, that is to say, to study the corporate action of communities. To American history thus regarded, Mr. Weeden has made a substantial contribution. He need not try to enhance the value of his work by arts unsuited alike to his subject and his style.

In criticising the policy of England towards the colonies Mr. Weeden is conspicuously and creditably fair. One can see that the restrictions on colonial trade, though unwise and vexatious, did little in reality to hinder material progress. This was in part due to the fact pointed out by Mr. Weeden that each colony, or at least each group of colonies, being in a different latitude, had its own products and industries, and thus that the materials for an intercolonial commerce were ready to hand. The West Indies too offered a ready market both for imports and exports. From the very

beginning New England sent thither grain, pork, fish, and pipestaves, and brought back salt, tobacco, and negro slaves. Before many years horses were added to the list of exports, rum and molasses to that of imports. By 1741 the annual trade with Barbadoes alone was reckoned at 100,000*l*. With this, with the English market, and with the general European market for non-enumerated commodities such as hides, pitch, and ship timber, the productive resources of the colonies were not cramped. Moreover the legitimate trade was largely eked out by smuggling, so open and notorious as to be hardly a matter for concealment and in no way for shame. We have seen how a merchant of high standing like Peter Faneuil dealt with the navigation laws. The state papers are full of complaints from zealous revenue officers lamenting the utter impossibility of getting any assistance from the colonial authorities. But if the revenue laws did little mischief commercially, they did much politically and morally. They kept up a perpetual sense of mutual dissatisfaction. They taught men that the law of the mother-country might be defied with impunity, and that the moral sense of the community would be with them in such defiance. Moreover the smuggler was inevitably the ally and the recruiting officer of the pirate.

The restriction which was probably most harsh in its working was that imposed by the act of 1750 which prohibited the making of nails. The industry was, as Mr. Weeden points out, peculiarly suited for a rural population, with a not very exacting system of agriculture. 'Any farmer with a skilful hand employèd his winter evenings in shaping rods into nails by the ingleside.'

More injurious probably to colonial trade than any of the restrictions imposed by the English government was the recklessness with which, ignoring all sound principles of finance, the colonial governments issued paper money. As early as 1661 the younger Winthrop was bitten with that delusion which afterwards found expression in England in Chamberlain's Land Bank, and which was revived almost in our own day by men who are now only remembered by Mill's demolition of them. The theory that a community can enlarge its circulating medium and thereby its trade by allowing citizens to issue paper money to the full amount of their property, was put forward in 1650 by a certain William Potter in a pamphlet with the attractive title 'A Key to Wealth.' It would be interesting to know how far Chamberlain was directly influenced by his teaching.

A copy of this book was in Winthrop's library, and it is clear from his letters that he had laid to heart the substance of it. Winthrop's theoretical teaching found the soil prepared for it by the actual conditions of colonial affairs. Want of specie was from the outset the great hindrance to colonial trade. This was partly owing to the fact that barter was to a great extent possible and customary within the colonies. The colonial governments allowed citizens to pay taxes in kind. Labourers would receive their wages in commodities. The result was that just as bad money drives out good, so the barter which satisfied the home seller drove out the specie which was needed by the foreign merchant. The need of the citizen for a circulating medium, the need of the colonial governments for money to meet the expenses of war with the French, combined with confidence in

the future resources of the colonies, led during the first half of the eighteenth century to a reckless issue of paper money. Rhode Island was the chief offender. Massachusetts went far enough to embarrass herself and to create social and political difficulties which only her buoyant commerce and expanding resources enabled her to overcome. The results of the paper-money system in New England, the derangement of prices and disturbance of trade, are clearly told by Mr. Weeden, but hardly admit of abridgment. It is a noteworthy instance of his fairness, that on this matter he does full justice to the sagacity and courage of a much-abused man, Thomas Hutchinson. In the great crisis of his country's fate, he no doubt took that view which the majority of his contemporaries denounced as unpatriotic, which posterity for the most part has with more justice deemed unwise. He was a cautious, unimaginative man, unable to rise above what one may call the official view. But his earlier conduct shows that when he erred he did not err through any lack of patriotism or of moral courage. Mr. Weeden tells how in 1749 a large sum of specie was placed by the English government at the disposal of the colonial government of Massachusetts to recompense the expenses of the siege of Louisburg. It was a matter of dispute in the colonial legislature whether the money should be employed as intended or directed by the English government in redeeming the paper money of the colony. Personal interest and real apprehension for the public prosperity worked together. Those who owed fixed charges would have to pay in silver instead of discredited paper. Others saw their way to a good speculation in buying up and hoarding paper and in postponing redemption to a later day. Fears too were entertained that the specie as before would drain out of the colony, and that the old want of a currency would recur. Hutchinson stood firm, and his influence appears to have been the chief cause which induced the legislature to adopt the policy of redemption. 'Let us,' says Mr. Weeden, 'duly commend the poor exiled broken and dispirited loyalist—finally execrated by his friends and neighbours—who in his earlier years brought his country out of bankruptcy and planted her on solid economic ground.'

To make extracts is an unsatisfactory mode of showing the merits of such a book. Its shortcomings of style as well as the nature of the subject almost exclude it from a very high position in historical literature. But Mr. Weeden has done work which will never need to be done again. Students of American history can never be independent of the book and should never cease to be grateful to the writer.

J. A. DOYLE.

Geschichte der deutschen Verfassungsfrage während der Befreiungskrieg und des Wiener Kongresses 1812 bis 1815. Von WILHELM ADOLF SCHMIDT. Aus dessen Nachlass herausgegeben von ALFRED STERN. (Stuttgart: G. J. Göschen'sche Verlagsbuchhandlung. 1890.)

ALTHOUGH few historical scholars have a more varied experience of historical literature than the editor of this volume, it may be doubted whether the conditions of his task were such as to admit of its being altogether successfully accomplished. Where so large an element of controversy enters into the very scope and character of a book, while, as Professor Alfred Stern himself reminds us, the documentary evidence

concerning its theme is still in process of accumulation, its posthumous publication places it at a manifest disadvantage. In the present instance this is all the more to be regretted, inasmuch as the late Professor Adolf Schmidt of Jena was a master of later German constitutional history, so that nobody was better capable than he of treating with accuracy and candour some of its most notable difficulties which great popular writers like Treitschke have surmounted with so aggravating an ease and assurance.

This remarkable essay in pragmatic history, which appears to have been a labour of many years, will to many readers primarily present itself as a revision of the current conception of Stein's attitude towards the reconstitution of Germany. The chief materials for such a revision are to be found in Stein's own memorials or reports, and in his personal intervention more especially towards the close of the Congress of Vienna. From these it is, I think, made abundantly clear that Stein cannot be regarded as having formed in his mind the modern conception of German unity, and that the claim to treat him as one of its prophets ought to be definitively abandoned. In the earliest of the *mémoires* discussed in this volume (that bearing date 18 September, 1812), he propounded three solutions of the German problem, of which he described as impossible the first, viz. the restoration of the ancient monarchy, infinitely preferable as it seemed to him to the later modifications of the imperial system, with their enfeebling concessions to territorial authority. Under these circumstances there seemed to him no choice left but either to divide Germany by the line of the Main between Austria and Prussia, or to set up two confederations under the respective headship of those powers. After this scheme had been successfully exploded by Hanover—in other words, by the hereditary jealousy and personal self-consciousness of the prince regent of Great Britain—Stein, about the end of August 1813, drew up at Prague a paper, which must on the whole be described as one of the least lucid and practical of his successive proposals on the subject, and which has been palpably overpraised by Treitschke. Its gist was the restoration of the imperial dignity, to which he consistently held the house of Austria to possess a preferential claim, together with the establishment of a feudal diet—in which representatives of the *Reichsritterschaft* were of course not to be absent, while with this empire and Austria, Prussia, increased by solid annexations raising its population to something in excess of that of non-Austrian Germany, should enter into a firm and intimate alliance. The nature of this alliance was left so vague as to justify the criticism that the upshot of the plan could have been no other than the bisection of Germany under another form.

Thus it appears from a review of these earlier schemes, that even in connexion with them Stein never so much as dreamt of the present so-called German empire, or, in other words, of the federation of the whole of non-Austrian Germany under Prussian headship. On the other hand, even in his later schemes, dating from the period after the agreements of Chaumont which virtually negated the imperial idea as well as that of a division of Germany between Austria and Prussia, Stein never seems to have proposed or aimed at any federation under other than Austrian headship. Herein he differed from Hardenberg and from Wilhelm von Hum-

boldt, both of whom addressed themselves, as to be sure Stein was not directly called upon to do, to the German constitutional problem in the spirit of Prussian statesmen; while Humboldt, whom it is so easy to twit with the characteristic qualities of the philosophic mind and with the defects those qualities are supposed to carry with them, showed at the same time the truest insight into the essentials of the historical situation. Even in Stein's deliberations with Hardenberg at Frankfort, in which Stein put forward his preposterous plan of excluding the greater part of both Austria and Prussia from Germany, he advocated the reservation to Austria of the presidency in the acting committee as well as in the general body of the diet. Professor Seeley, who very correctly accounts for Stein's 'incredible suggestion' in connexion with the above, that Austria should *preside* and Prussia should *direct*, by the reminiscence of an analogy showing how 'the chaos of the old empire had in a manner crazed the best German intellects on the subject of federation,' elsewhere declares himself perplexed by Stein's revival, as late as the beginning of 1815, of the proposal to establish an empire hereditary in the house of Austria. But though Stein undoubtedly well understood the policy of Prussia, and though he perfectly appreciated the relative weakness of Austria's interest in German affairs, he could not refrain from falling back upon conceptions which Humboldt's more consistent method of thought and action had once for all discarded. The historic idealism which was one of the strongest elements in his nature sufficiently explains this curious perversity.

The present occasion seems hardly suitable for discussing the history of what Professor Schmidt calls the Polish-Saxon crisis at the congress of Vienna, and of the sudden personal determination of Frederick William III in favour of the Polish policy of Alexander, which seemed to put an end to all prospects of co-operation between the German powers on the German or on any other question. The subject is a very large and complicated one; perhaps the strongest illustration of the bitterness at that time existing between the powers is to be found in the fact that the British government was suspected of having favoured the escape from Elba which shortly afterwards ensued.

A. W. WARD.

Lord Melbourne's Papers. Edited by LLOYD C. SANDERS. With a Preface by the EARL COWPER, K.G. (London: Longmans. 1889.)

THESE admirably edited papers do not revolutionise our conception of Lord Melbourne's character or statesmanship. As Lord Cowper admits in his preface, there are enough materials already in print to give us 'a fair notion' of the man. We know that he was not a great legislator, a great parliamentary leader, a great orator, or a great financier, and the volume before us contains nothing that is likely to change the world's opinion on these points. But though it contains no startling revelations, its publication does not leave Lord Melbourne's character exactly where it was before. Sydney Smith had already penetrated the disguise of indifference which he habitually wore, and 'accused' him of 'honesty and diligence;' Greville admitted that his first opinion—'Melbourne too idle'—was one that needed revision; and his biographer, Mr. Torrens, has done full justice to

his character and power. But in spite of this the notion has always been abroad that Lord Melbourne was careless, and not quite serious. He was too casual about important matters, and a man who fully felt his responsibilities would not have used so many 'damns.' The effect of Mr. Sanders' volume will be to put an end for ever to the idea that Lord Melbourne lacked earnestness. If we knew nothing about him but what these papers disclose, we should imagine him to ourselves as a man of sound sense and large business capacity, who united an unusual power of thinking clearly on business matters with extraordinary vigour and directness of expression, but to suspect him of want of earnestness would be the last thing we should dream of. Throughout the letters the writer is intent upon business, and we are inclined to complain—not that he shows too little earnestness—but too much. Of carelessness and indifference there is not a trace. On the contrary, Lord Melbourne appears as the most conscientious of statesmen—full of a sense of responsibility, continually anxious to do the best thing, and serious enough to satisfy the most exacting requirements.

The least interesting part of Mr. Sanders' collection is that containing the papers relating to Lord Melbourne's early life. In these days men take to politics late, but in Melbourne's time politicians were born, and not made. They began to breathe the air of controversy in the nursery, and their first political essays were in letters from school. Thus it comes about that among the papers of statesmen of this period juvenile essays on every kind of political question are to be found. In the present volume Mr. Sanders has wisely kept these within the limits of some thirty pages. Lord Cowper admits that William Lamb's early letters from Glasgow are 'disappointing;' we might perhaps go further and call them positively distasteful. The most charitable way of regarding them is as a proof that he matured late. Eight years later Lamb had got over the Bonaparte fever, the violence of his party spirit had abated, and he had had three years' parliamentary experience. Thus we find him making entries in his diary written with a coolness and impartiality that contrast most favourably with the rampant style of his earlier criticisms. The diary of 1807-8 is one of the most interesting of Mr. Sanders' papers. The subject to which most attention is given is the war in Spain, and this Lamb follows closely and sympathetically, making many acute observations, for the insurrection of a whole nation against Napoleon had consecrated opposition to him in the minds of the whigs. But his change of view was destined to be carried still further. In 1800 he had been devoted to Fox; later a parallel in his commonplace book between Fox and Alcibiades shows that he was disillusionised, and when he re-entered the house of commons in 1816, it was as a follower of Canning, in deed if not in name. In the long run this only meant that he returned to the whig party by another road, for after Mr. Huskisson's death the Canningites soon lost their separate existence, but it is worthy of note that the young politician who had been so wanting in patriotism himself in 1800, should have afterwards found himself alienated from the whigs mainly because they were unpatriotic. A passage quoted by Mr. Sanders, apparently from the commonplace book, explains the point of view from which he now regarded some of the whigs:—'One great difference between the reformers of the present day and those of the time of Charles I is that

the latter chose a period of perfect tranquillity and security from external enemies, a period when almost all foreign nations were by their own distractions disabled from interfering with England, for putting into execution their schemes of amelioration. The former exclaim against grievances and press the most vital measures at a moment when the power and inveteracy of France threaten our existence as an independent nation.'

Though Lamb's views were fully matured by 1816, it was not until 1830 that his active career began. Thus he 'did not enter upon any real or absorbing business till he was nearly fifty years old.' By this, according to Lord Cowper, he gained in one way, and lost in another. His long leisure enabled him to accumulate vast stores, if not of learning, at any rate of miscellaneous information; on the other hand, he never acquired methodical and businesslike habits, and by this we, of the following generation, are the losers. 'He burnt many of the letters addressed to him, and he very seldom kept a copy of his own.' But for this, Mr. Sanders would not have asked us to be content with a single volume.

As Lord Cowper points out in his preface, we do not know how far Lord Melbourne really controlled his own administration. On this question Mr. Sanders' volume does not throw very much light, but all that it gives us is in Lord Melbourne's favour. 'A false estimate of predominant influence behind the scenes may be raised sometimes by parliamentary position, and sometimes by self-assertion.' But Lord Melbourne had neither. 'He had neither ambition which aims at the substance of power,' says Mr. Gladstone, 'nor political vanity, which rejoices in its show,' and his capacity as a speaker was not of a kind to give him parliamentary position. He was not even in the house of commons, and in those days peers did not attempt to overcome the disadvantages of their birth by stumping the country. Thus we are in danger of underrating his real influence with his colleagues. That he could speak out strongly upon occasion appears clearly enough from the volume before us. The judicious and temperate, but perfectly firm and outspoken, language which he used to prevent Lord Mulgrave, when lord-lieutenant, from retaliating upon the influential Irish protestants who had attacked his administration in public meeting, is sufficient evidence of this. Miss Martineau accused him of being afraid of Lord Brougham, yet it is his correspondence with Lord Brougham, on the subject of Brougham's notorious indiscretions, that affords the most striking illustration of his power of speaking out. 'His letters to Lord Brougham,' says Mr. Gladstone, 'are nothing less than tremendous, yet they are also as a whole singularly adroit.' They 'decree political extinction,' and yet 'perform the work of the hangman in the spirit of the warrior and the gentleman.' In this connexion it should be noted, by the way, that the Melbourne papers enable us to correct Miss Martineau's statements concerning Lord Durham's appointment of Mr. Turton. Miss Martineau says expressly that 'all the ministers were aware of Mr. Turton's intended appointment, before he sailed,' and she complains that when Lord Durham was attacked in the house of lords, 'Lord Melbourne, with all his nonchalance and gaiety, had not spirit, activity, and courage to stand by an absent friend.' It is now certain that Lord Melbourne was quite unprepared for the appointment, and was exceedingly annoyed at it, and he explains the

inadequacy of his defence of Lord Durham in quite a different way in a letter to Lord Durham himself. 'We have supported you,' he writes, 'with all our might, but we laboured under great disadvantages from the very scanty and insufficient information which you had afforded us, whilst our opponents were naturally in possession of the fullest and most authentic intelligence.' Again, the letters which Mr. Sanders has published relating to the line Lord Melbourne took after the signature of the Quadrilateral Treaty of 1840, do not in any way sustain Greville's account of his despondency and lack of decision. They show, on the contrary, that though he handled Lord John Russell tenderly, and took infinite pains to keep the cabinet together, yet his own view was clear enough. He believed that, as Palmerston said, and the event proved, the warlike preparations of France were a sham, and so he gave Palmerston a free hand.

In other places also, Lord Melbourne's correspondence fully justifies Mr. Gladstone's dictum that 'he had a large reserve of real prudence . . . of power, of sense, and even of courage.' These qualities are nowhere more clearly exhibited than in the documents relating to the difficult period of 1830-34, when he was the home secretary of the reform administration. In that capacity he had to deal with rick-burning in the agricultural South, and trades-union outrages in the manufacturing North. His general policy was that of Lord Grey, who was opposed to violent measures of repression, but no one could have carried out that policy with greater good sense than Lord Melbourne. He showed sufficient firmness in enforcing the law, and at least equal firmness in resisting suggestions made under the influence of panic. A Sussex magistrate urged that informers ought to be employed to detect and catch the rick-burners: he received from the Home Office a lucid exposition of the danger inherent in such a method—the danger 'of involving innocent persons in accusations, and encouraging the seduction of persons now innocent into the commission of crime.' When the king made inquiries about the spread of the political unions, Lord Melbourne wrote him an admirable account of their present position in the country, but gave it as his opinion that 'any attempt to put them down by law would only end in giving them consequence and importance, and would perhaps constitute them the acknowledged organs of public feeling, of which at present they were only the symptoms.' 'It is the public feeling which is dangerous,' he adds, 'and not the political unions.' A little later when the king nervously pressed upon him the desirability of strengthening the law against dangerous trade combinations, the home secretary adopted a courageous and reassuring tone. 'Men often threaten most violently,' he wrote, 'when they are most afraid.' On the other hand, he declined to play into the hands of the radicals, and Mr. Sanders prints a very judicious letter to Sir Francis Burdett, warning him of the danger that lurked in the National Political Union.

The Melbourne Papers enable us to appreciate better the good feeling and tact displayed by Lord Melbourne in all his dealings with William IV. He seems to have had a high respect for the king's straightforward and honourable character, and he treated his prejudices tenderly, 'The king is the fairest man in the world,' he writes, 'when matters are laid

fairly before him,' and to the business of 'laying matters fairly before him' his prime minister devoted infinite pains. Perhaps the letters in which he meets the king's too conscientious objection to the Church Rate Bill are the best illustration of this. And the interesting letters from William IV, which Mr. Sanders has printed, show that though opposed to him on almost all political questions, Lord Melbourne had succeeded in gaining the king's confidence. Traces are to be discovered here and there in the correspondence of a tendency in the king's mind to draw a distinction between the premier and his colleagues, and on one occasion he paid him the high compliment of writing 'The king has always looked upon Viscount Melbourne as a firm supporter of the constitutional monarchy of this country, and he believes him to be a conservative in the truest sense of the word, and to as great a degree as is his Majesty himself.' In that part of his correspondence which relates to the famous dismissal of the whig ministry in 1834, Lord Melbourne exonerates the king from everything but an error in judgment, while the king wrote in the warmest manner of Lord Melbourne's own conduct during the crisis, and evidently appreciated very keenly his honourable feeling and delicacy towards himself.

A personal characteristic that comes out very clearly in these papers is Lord Melbourne's singular moderation. This, as Lord Cowper remarks, exposed him to attack from the side of the radicals as well as from the side of the Tories. On the whole he held by whig principles, and sought, as he himself expressed it, 'to work out the necessary reforms which the state of our institutions may require, upon safe and moderate principles, in accordance with the constitution of our mixed government, and with the spirit of the age,' but 'he was almost too acutely able to see both sides of every question,' and his attitude towards the changes for which his party was so eager, often resembled that of the devout Oriental who acquiesces in what he cannot avert. From an interesting paper apparently written about 1828, we infer that he foresaw too many of the consequences of reform to be an enthusiastic reformer. He anticipates a 'great rise into political power of merchants, manufacturers, and persons raised into consequence by the increasing trade, &c., of the country,' and regards this as an unqualified advantage. On the other hand, he puts forward two arguments against reform that must have seemed very important at the time: (1) 'that it will be found not to be attended with any of the benefits expected from it, and then more and more will be required, the original argument against any innovation will be lost, and the constitution will be destroyed;' and (2) that it will involve 'the total destruction of freedom of speech,' since 'a house of commons elected according to what is called theory and principle will never bear to hear itself freely and violently censured, though its acts may possibly be such as to deserve the most acrimonious censure.' Nevertheless, having once accepted reform as a necessity, he was against half-measures, and anxious for a settlement that should be complete and final. In particular, he objected to the principle of plural voting. 'Property,' he wrote in 1831, 'will always possess considerable influence over the votes of others, and it appears to me to be leaning even too much in its favour to give it, in addition to the power which it must naturally exercise, an additional

direct weight of its own by investing it with the plurality of suffrages.' On some other questions, for instance, education, Lord Melbourne was often distinctly conservative. He strongly objected to the Anti-Corn Law League, not from prejudice, but because he really feared for the future of the country. 'There are some,' he wrote in 1838, 'who hold that a freer importation of foreign corn would not cause a single grain less to be grown in this country. I cannot be of this opinion. If it would diminish the home growth, I cannot but doubt whether a large labouring population, dependent in any considerable degree upon foreign corn, is in a safe position, and whether it is not worth some sacrifice to insure a supply within ourselves, as far as it can be insured.'

Of the editing of the Melbourne Papers it is impossible to speak too highly. The editor has arranged his material admirably, and supplied the connecting links in notes that are adequate without being wearisome. Lord Melbourne is allowed to speak for himself: we do not lose him in a maze of unnecessary information about him. Mr. Sanders' readers will be grateful to him for his unobtrusiveness, for the 'thoroughness' of some writers is a weariness to the flesh.

J. R. TANNER.

Churchwardens' Accounts of Croscombe, Pilton, Yatton, Tintinhull, Morebath, and St. Michael's, Bath, ranging from A.D. 1349 to 1560. Edited by the Right Rev. Bishop HOBHOUSE. (Somerset Record Society's Publications. Vol. IV. 1890.)

OF the publications of the Somerset Record Society Bishop Drokenfsford's register, edited, like the present volume, by Bishop Hobhouse, has already proved valuable as a fourteenth century authority, while the survey and rental of the Somerset chantries give an account, unique from their completeness, of the state of the chantries and their endowments in a county at the time of their abolition; the third volume, although containing Kirby's Quest, so far as it was concerned with Somerset, is necessarily more local in its interest. The accounts now given in the fourth volume represent the continuous church life in half a dozen country parishes, and will certainly make the most cursory reader reconsider whatever views he may have formed upon the subject of pre-reformation village life. The strength of the guild system is manifest on every page; it is, in fact, the chief feature which impresses itself upon the reader. The organisation of the parish, perhaps the secret of whatever political ability Englishmen have possessed, is more generally understood. The strength of voluntary associations and the careful organisation of parochial matters by parishioners explain the ease with which the religious houses passed away. The monasteries were little missed, because they had ceased in the sixteenth century to be much else than houses of country gentlemen—country gentlemen, of course, by position and occupation rather than by birth—and all that the villager wanted he found in his local organisations. England, in fact, was parochially, not monastically, centred. The difficulty of the poor may be raised as an objection; but, admitting the monastic charities to the full, the pressure of pauperism, the outcome in the main of the change in the relation of landlord to tenant, had not been fully felt, though it had

been felt to some extent, in the early part of the reign of Henry VIII. The parish of its own motion did nothing for the poor, because there was no great need for any provision being made. A valuable preface, a short glossary, and several appendices, have been added by the editor; the volume is also carefully indexed.

W. A. J. ARCHBOLD.

Register of the Abbey of St. Thomas, Dublin. Edited by JOHN T. GILBERT. (London: Published under the direction of the Master of the Rolls. 1889.)

MR. GILBERT has in this volume made another useful contribution to Irish history. The Austin abbey of St. Thomas of Canterbury, outside the walls of Dublin, was founded in 1177 by William Fitzaldhelm, who was then 'steward' or 'justice' of Ireland for Henry II. The register of its early grants, compiled about the end of the thirteenth century and now preserved among the Rawlinson MSS. in the Bodleian Library, contains a good deal of local and minute personal history, and was well worth printing. In the preface Mr. Gilbert refers to some of the more interesting new points contained in the volume, such as those which enable him to give a skeleton biography of Basilia, sister of Strongbow and wife of Raymond the Fat, the curious genealogical account of the Lacys on p. 419, and the interesting decision of Bishop Simon of Meath on p. 348 with regard to the ultimate sepulture of Hugh de Lacy's body. The preface, though short and unambitious, contains some interesting information. The book would have been much more useful if the editing had been a little more complete. For example, hardly an attempt is made to date any of the charters, which are printed, as in the MS., in a geographical rather than an historical order, 'according to diocesan sequence.'

A Fragment on Government. By JEREMY BENTHAM. Edited, with an Introduction, by F. C. MONTAGUE, M.A., late Fellow of Oriel College. (Oxford: Clarendon Press. 1891.)

BENTHAM'S 'Fragment on Government' has long been out of print and is not always easy to procure. Every student of politics or of jurisprudence must feel grateful to the Clarendon Press and to Mr. Montague for this edition. In an introduction written with an epigrammatic felicity and a lightness of touch that is more common in French than in English works on grave subjects, the editor first of all sketches the life of Bentham and his mental characteristics, and then marks out his relation to Montesquieu and to Beccaria, from the latter of whom he derived his famous formula 'The Greatest Happiness of the Greatest Number'—a formula used by Hutcheson before it was adopted by Beccaria. In treating of the theory of sovereignty, Mr. Montague points out the confusion resulting from the want of sufficient distinction between the political and the legal aspects of the question. The relation of Bentham's theory to those of his predecessor Hobbes and his successor Austin is carefully and clearly put. But is it quite correct to class Locke along with these writers? Locke's view of sovereignty has really more in common with that of Rousseau.

The Prelude to Modern History. By J. E. SYMES, M.A.
(London : Rivingtons. 1890.)

THIS volume contains the substance of a course of lectures lately delivered at University College, Nottingham ; and it comprises a brief sketch of the world's history from the third to the ninth century. It is the function of such lectures either to give a certain minimum of information on a subject to persons who have not the leisure to study it for themselves, or to arouse their interest and to suggest lines of study. Mr. Symes appears to have had the former purpose principally in view, but the lectures are admirably fitted to fulfil the latter purpose as well. Many persons who have read a good deal of both 'ancient' and 'modern' history are singularly ignorant of the great movements which connect the ancient with the modern world. After reading Mr. Symes's book they will not be altogether without ideas on this most important subject. The four chief topics of the book are the decline and fall of the Roman empire, the rise and spread of Christianity, the gradual formation of the new European nations, and the rise and spread of Mohammedanism. It is unnecessary to say that the treatment is slight, but the narrative is clear and suggestive, and Mr. Symes has shown great judgment in giving sufficient information to make his lectures intelligible, without introducing facts and allusions which would puzzle a beginner. Above all, few people will read this little book without wishing to study the subject further. It is therefore a pity that Mr. Symes has not added some suggestions for a course of study. The subject and scope of the lectures naturally challenge a comparison with the essay of the late dean of St. Paul's on the 'Beginnings of the Middle Ages.' It is no disparagement of Mr. Symes to say that his book belongs to a more humble category of historical introductions. But after reading it a beginner will be able to profit better by the suggestiveness and condensed learning of Dr. Church's admirable sketch. The two together form as good an introduction as can be required to this neglected and most important period of history. There are a few misprints, and some statements to which exception might be taken, but not enough seriously to impair the value of the work.

Records of the Borough of Nottingham. Vol. IV. 1547-1625. Edited by W. H. STEVENSON. (London : Quaritch. 1889.)

THIS volume closes the series of extracts from the Borough Records of Nottingham, and completes a work on the character of which the corporation may be justly congratulated.

The most important subject dealt with in the present volume is undoubtedly the prolonged struggle between the corporation and the commonalty of the borough. Similar struggles can be traced in most English boroughs, but we know of no example in which the story has been worked out so fully and so carefully as it has been here by Mr. Stevenson. The process by which the *Gilda Mercatoria* became continuous with, or at least acted for, the *tota communitas*, is of too early

a date to trace in this instance ; but the later development by which the powers of the community were gradually absorbed by a standing committee, or rudimentary council, of twelve, can be followed step by step. The mayor, bailiffs, and chamberlains acted with the whole body of citizens, in theory at least, to the close of the fifteenth century ; but the choice of a committee of twelve, for the practical management of affairs, in 1446, betrayed the tendency. It may be only an accidental circumstance that the oligarchical development in local government synchronised with a period of democratic expansion in national politics, but the fact is curious enough. Of the original council at Nottingham, the mayor and six office-bearers soon became known as aldermen, and the six remaining members as 'common councilmen.' The filling of vacancies by co-optation excluded, of course, the burgesses at large from any voice in the government, and their growing discontent found expression in the presentments of the Mickletown jury. It was not till 1606 that an order of privy council effected a *modus vivendi* between the rival parties. However divided among themselves, the townsfolk were at one in their jealousy of 'foreign' settlers, and their anxiety to keep good things to themselves.

Of the borough hall-books the editor has made good use in this volume, and, as before, his selections from the records are characterised by good judgment. The list of municipal officers for 1547-1625 is admirably executed, while the analysis of street and field names, and the glossary, deserve the highest praise. Exception might, perhaps, be taken to the definition of 'land,' which was rather the strip in the open field, and was latinised in very early times as *landa*. J. H. ROUND.

Dei Torresani, Blado e Ragazzoni celebri stampatori a Venezia e Roma nel XV e XVI secolo. Per Domenico Bernoni. (Milano : Hoepli. 1890.) Among the printers of the fifteenth and sixteenth centuries the families of the Torresani and of the Blado of Asola have a claim to occupy a very distinguished place. The name of the Torresani has hitherto suffered somehow from their connexion with their relations and partners, Aldo and Paolo Manuzio. It was but just that some bibliographer should restore the Torresani to the rank to which they have a right in the history of Venetian printing. This has been done at last very fully and with great care by Signor Bernoni in the first part of this book. Another interesting family of printers, also originating from Asola, in Lombardy (not the Venetian Asolo), is the family of the Blado, the founders of the celebrated Stamperia Camerale in Rome, and the successors of Sweynheim and Pannartz in the Aedes Maximorum, where the first Roman editions were printed. Signor Bernoni's twofold monograph is a valuable contribution to the history of early Italian printing, and will, no doubt, be welcomed by bibliographers.

The Best Books. By W. Swan Sonnenschein.—So much of Mr. W. Swan Sonnenschein's work (second edition, London, Swan Sonnenschein & Co. 1891) as deals with English and American history will be found an excellent guide to those who, without any intention of becoming themselves investigators, are in search of books to be read on historical subjects. The names of books recommended are well selected, and the brief comments

are useful in indicating the nature of the work in question. If Mr. Swan Sonnenschein is less successful in dealing with historical literature relating to continental nations, it is merely because he is precluded by the limitations which he has necessarily imposed on himself from giving the names of books in foreign languages which have not been translated. After all, it is impossible to study French history without being able to read French, or German history without being able to read German. In spite of this drawback the book is one which no public library ought to be without.

M. Boutmy's work on *The English Constitution* was examined in this Review (July 1888) when it appeared in the original. It is therefore unnecessary to do more than notice its appearance in an excellent translation by Miss Isabel M. Eaden (London: Macmillan & Co. 1891), with a preface by Sir Frederick Pollock. The most notable part of the work is its treatment of the industrial and agrarian revolution of the eighteenth century; and it is always worth while to know what a cultivated and well-informed foreigner has to say of matters in which we are deeply concerned, even if we may be of opinion that there are sides to a question under his consideration which he has omitted to notice.

Mr. Shuckburgh's edition of Sidney's *Apologie for Poetrie* (Cambridge: University Press, 1891) shows careful work and fairly wide reading. The notes betray a wish to increase the bulk of a somewhat slender volume, as when short biographies of Dante, Boccaccio, and Petrarch are included; while a closer reference to Sidney's letters would have afforded some parallel passages of interest. The biographical introduction, which alone should call for notice here, does not profess to be based on original research. It is mainly founded on the memoirs of Mr. Fox Bourne and Mr. J. A. Symonds, and on Pears' untrustworthy and incomplete translation of Sidney's correspondence with Languet. With the exception of one new date of no importance (p. xi), the book makes no substantial addition to our knowledge of the man, or to his elucidation as a writer of prose.

Roman Newsletters at the Public Record Office.—Amongst the recent acquisitions of the Public Record Office are a series of copies of so-called newsletters written in England to some official person at Rome, during the greater part of the years 1647–1650. These papers, which have been sent by the agent of the office at Rome, are of more value than ordinary newsletters, as the writer had, at least during part of the time in which he wrote, unusual means of acquiring information. Internal evidence shows him to have been a Tuscan priest, who had formally been attached in some way to the Villiers family, probably as a chaplain in the household of the duchess of Buckingham. It is in the summer of 1647 that his reports are of special value. He was then employed by Bellièvre, the French ambassador, to negotiate with the royalists on the one hand and with the army leaders on the other, for the acceptance of a proposed scheme of toleration for the English Roman Catholics. His notices on this subject bring before us, as no other authority has done, the readiness of the Independent leaders to grant this toleration, if it could be made

a part of a general scheme for the king's restoration on a constitutional basis. Cromwell's long persistence in upholding a monarchical settlement under Charles I is well illustrated by these papers, as we learn from them that as late as 20 Oct. 1647 Cromwell spoke most eloquently in the House of Commons for three hours in favour of the king's restoration to power, though, as might be expected, the writer adds that the speech was hypocritical.

CORRESPONDENCE.

MR. CHILD'S 'CHURCH AND STATE UNDER THE TUDORS.'

I HAVE neither the right nor the wish to discuss the opinion which your reviewer has formed of my recent book, 'Church and State under the Tudors,' which you have been good enough to notice in your last issue. I must, however, beg to be permitted to point out certain inaccurate statements contained in the review in question.

(1) Your reviewer states that I have 'made *no use* of original documents hitherto unused.' It is not a safe thing to say that *nobody* has noticed this, that, or the other document, but I am not aware that either the account of Denis l'Ermite and Bishop Harsnet of Norwich given in a note, p. 211, or the curious paper on the bishops in Elizabeth's first convocation in the appendix, p. 309, to mention no other cases, has been noticed before. But whether this be so or not, I may call attention to the fact that I have made no claim to this particular form of originality, but have, on the other hand, carefully disclaimed it in my preface; and further, that it appears to me that the value of a contemporary statement as such is entirely unaffected by the question whether it has or has not been already quoted by an intermediate writer, or, indeed, by a dozen. I attach no particular value to its being 'unused before.'

(2) In rebuking my 'unsuccessful' criticism of Bishop Stubbs's remarks on the execution of Archbishop Scrope, your reviewer has entirely missed the point. The bishop, so far as he can be said, in the reviewer's words, to withdraw the charge of murder against Henry IV at all, does so on the ground that the king's fault was due to incipient imbecility, and not to deliberate wickedness. My contention, on the other hand, was, and is, that the king was neither idiotic nor wicked—but only strictly just.

(8) I am further charged with making over-confident statements with 'no evidence whatever' in regard, among other things, to the legal position of Katherine of Aragon's marriage with Henry VIII. The reviewer seems to have overlooked the first note in my appendix, in which I have quoted a despatch from Chapuy to the emperor, which affords evidence so strong that more would be needless.

To one only of your reviewer's charges do I plead guilty, and that is that I neglected to read Dr. Jessopp's book before writing my note on the corruption of the prae-reformation clergy. Here the loss has been my own, for I have thereby somewhat weakened my own case; but I submit, nevertheless, that it is strong enough even as it stands. I am, sir,

Your obedient servant,

GILBERT W. CHILD.

The following remarks on Mr. Child's letter are from the reviewer of his book.

(1) Mr. Child says in the preface to his book: 'For the main portion of my work I have gone, wherever possible, to original sources; by which I mean, not necessarily matter never published before, but the speeches, letters, and deeds of the actors in the events narrated.' This statement appeared to give ground for the hope that not only had fresh inferences been drawn from printed material, but also that fresh facts had been adduced from papers still accessible only in manuscript. As in my opinion neither expectation was satisfied after a perusal of the book, I expressed my inability to discover such new facts and inferences. It is very possible that the two passages from the state papers to which the author refers have escaped the attention of historians, but inasmuch as they are shown to be Stuart documents they are neither the 'speeches, letters, nor deeds' of Tudor actors and have no value as contemporary sources.

(2) Mr. Child tells us in his letter that he holds the execution of Scrope to have been a just act, but the propriety of this view was not called in question in the remarks of which he complains. In the passage (p. 32, note) to which the review referred, Mr. Child is not content with the expression of his own views, but he there brings a charge of clericalism against Bishop Stubbs which the words of the latter do not warrant. Now the charge that is brought against Bishop Stubbs is that he differentiates between the cases of Scrope the clerk, and of Mowbray the layman. But there is nothing in Bishop Stubbs's treatment of the subject that justifies such a suggestion. It is true that while describing Scrope's execution as a 'judicial murder,' he does not in so many words apply the same term to that of Mowbray, but he plainly hints that the legal question in the earl marshal's case was as significant as the religious question in that of the archbishop. There is no suggestion that the cases ought to be distinguished, and, as was pointed out in the review, Mr. Child's imputations are therefore gratuitous.

(3) Mr. Child has produced a piece of evidence touching the marriage of Catherine and Prince Arthur. Pope Julius II contemplated the possibility of the existence of such marital relations as Mr. Child describes, and expressly removed the impediment by a dispensation. Hence evidence of the existence of this impediment cannot be regarded as evidence of Mary's illegitimacy, a question which turns on the power of the pope to remove the impediment.

(4) No suggestion was made by me that the clergy of the sixteenth century were free from corruption. In his concern to prove them corrupt, Mr. Child appeals to passages from Mr. Froude's 'History of England,' which he naively remarks 'can but be either true or false,' and he asks, 'If the apologists of the monks really believe in their case, why do they not publish . . . these visitations?' If it is the duty of the monastic apologists to publish them, it is no less the duty of their opponents to read them.

List of Historical Books recently published

I. GENERAL HISTORY

(Including works relating to the allied branches of knowledge and works of miscellaneous contents)

- AMBROSOLI (S.) Numismatica. Pp. 214, plates. Milan: Hoepli. 16mo.
- BURGESS (J. W.) Political science and comparative constitutional law. 2 vol. Boston: Ginn.
- DIPPE (A.) Das Geschichtsstudium mit seinen Zielen und Fragen: ein Beitrag zur Philosophie der Geschichte. Pp. 132. Berlin: Wiegandt & Grieben. 1-80 m.
- DUCOUDRAY (G.) History of modern civilisation: a handbook based upon the 'Histoire sommaire de la civilisation' of Pp. 580, illustr. London: Chapman & Hall. 9s.
- FUSTEL DE COULANGES. The origin of property in land. Transl. by Margaret Ashley, with introd. by W. J. Ashley. Pp. xlviii, 153. London: Sonnenschein.
- HOTTMANN (C.) Studien zur vorgeschichtlichen Archäologie: gesammelte Abhandlungen. Pp. 221. Brunswick: Vieweg. 7 m.
- LÖHER (F. von) Archivlehre; Grundzüge der Geschichte, Aufgaben, und Einrichtung unserer Archive. Pp. 490. Paderborn: Schöningh. 10 m.
- LORENZ (O.) Die Geschichtswissenschaft in Hauptrichtungen und Aufgaben, kritisch erörtert. II: Leopold von Ranke; die Generationenlehre und der Geschichtsunterricht. Pp. 416. Berlin: Hertz. 8 m.
- MOLLAT (G.) Geschichte der deutschen Staatswissenschaft von Kant bis Bluntschli. I. Pp. 120. Cassel. 3 m.
- PUINI (C.) Le origini della civiltà secondo la tradizione e la storia dell'estremo Oriente. Pp. 275. Milan. 7 l.
- WESTERMARCK (E.) The history of human marriage. London: Macmillan. 14s.

II. ORIENTAL HISTORY

- ALBERS (E.) Die Quellenberichte in Josua I-XII: Beitrag zur Quellenkritik des Hexateuchs. Pp. 150. Bonn: Paul. 3 m.
- BLOCH (M.) Das mosaisch-talmudische Erbrecht. Pp. 70. Leipzig: Fock. 2m.
- BRUGSCH (H.) Thesaurus inscriptionum Aegyptiacarum: altägyptische Inschriften, gesammelt, erklärt, und autographiert. VI. Pp. 1235-1578. Leipzig: Hinrichs. 4to. 90 m.
- Religion und Mythologie der alten Aegypter, nach den Denkmälern bearbeitet. 2nd edit. enlarged. Pp. 872, illustr. Leipzig: Hinrichs. 16-50 m.
- BRUNNHOFER (H.) Von Pontus bis zum Indus: historisch-geographische und ethnologische Skizzen. (Einzelbeiträge zur allgemeinen und vergleichenden Sprachwissenschaft. IX.) Pp. 223. Leipzig: Friedrich. 6 m.
- BUDGE (K.) Die Bücher Richter und Samuel, ihre Quellen und ihr Aufbau. Pp. 276. Giessen: Ricker. 7-50 m.
- DEVENTER (M. L. van) Het Nederlandsch gezag over Java en onderhoorigheden sedert 1811: verzameling van onuitgegeven stukken. I: 1811-1820. Pp. 210, 349. The Hague: Nijhoff. 7-60 fl.
- FISCHER (A.) Biographien von Gewährsmännern des Ibn Ishâq, hauptsächlich aus ad-Dahabî, aus Berliner und Gothaer Handschriften herausgegeben. Pp. 116. Leyden: Brill.
- JENSEN (P.) Die Kosmologie der Babylonier: Studien und Materialien. Pp. 546. Strassburg: Trübner.
- JOSEPHI (Flavii) Opera editit et apparatus critico instruit B. Niese. IV: Antiquitatum Iudaicarum libri XVI-XX, et Vita. Pp. 389. Berlin: Weidmann. 14 m.
- KOHLER (J.) & PEISER (F. E.) Aus dem babylonischen Rechtsleben. I. Pp. 36. Leipzig: Pfeiffer. 2 m.
- PEISER (F. E.) Iurisprudentiae Babylonicae quae supersunt: Commentatio assyriologica. Pp. 41. Berlin: W. Peiser. 2 m.
- Babylonische Verträge des Berliner

- Museums, herausgegeben und commentiert; nebst einem juristischen Excurs von J. Kohler. Pp. xlix, 351, 56. Berlin: W. Peiser. 28 m.
- PETIT (W. L. de). La conquête de la vallée d'Achin par les Hollandais. Pp. 371, map. The Hague: Van Cleef. 5/50 fl.
- RECORDS of the past: being English translations of the ancient monuments of Egypt and western Asia. New series. Ed. by A. H. Sayce. III, IV. Pp. 140. London: Bagster. Each 4/6.
- RHEDE VAN DER KLOOT (M. A. van). De gouverneurs-generaal en commissarissen-generaal van Nederlandsch-Indië [1610-1888]. Pp. 355, plates. The Hague. W. P. van Stockum. 7/50 fl.
- TROVANELLI (S.). Le civiltà e le legislazioni dell' antico Oriente in rapporto alla famiglia. I: Egitto e Caldea. Pp. 448. Bologna: Zanichelli. 8 l.
- WINCKLER (H.). Der Thontafelfund von El Amarna, herausgegeben von. II, 2. (Mittheilungen aus den orientalischen Sammlungen der königlichen Museen zu Berlin. III.) Berlin: Spemann. Fol. 26 m.

III. GREEK AND ROMAN HISTORY

- BELOCH (G.). Storia greca. I: La Grecia antiquissima. Pp. 148. Rome: Pasanisi.
- BONGHI (R.). Le feste romane. Pp. 219, illustr. Milan: Hoepli. 9 l.
- BURGER Jr. (C. P.). Sechzig Jahre aus der älteren Geschichte Roms [418-358]: historisch-kritische Forschungen. Pp. 244, map. Amsterdam: J. Muller. 4to. 3 fl.
- COLLECTIO librorum iuris anteiustiniani, ed. P. Krueger, T. Mommsen, G. Studemund. III. Pp. 323. Berlin: Weidmann. 4/60 m.
- CUNTZ (O.). Agrippa und Augustus als Quellenschriftsteller des Plinius in den geographischen Büchern der Naturalis Historia. Pp. 475-526, 2 maps. Leipzig: Teubner. 2 m.
- DIODORI Bibliotheca historica. Ed. by F. Vogel. II. Pp. lxxv, 461. Leipzig: Teubner. 3/60 m.
- DROYSSEN (H.). Zu Aristoteles' *'Αθηναίων πολιτεία*. Pp. 23. Berlin: Gaertner. 4to. 1 m.
- FRÖHLICH (F.). Das Kriegswesen Caesars. III, 2. Pp. 278. Zürich: Schulthess. 5/20 f.
- GEORGI Cyprii Descriptio orbis Romani. Accedit Leonis imperatoris diatyposis genuina adhuc inedita, edidit H. Gelzer. Pp. lxxii, 246, 4 maps. Leipzig: Teubner. 3 m.
- GUTSCHER (H.). Die attischen Grabschriften, chronologisch geordnet, erläutert, und mit Uebersetzungen bearbeitet. Pp. 43. Leipzig: Fock. 2 m.
- ROSCHER (W. H.). Studien zur griechischen Mythologie und Kulturgeschichte vom vergleichenden Standpunkte. IV: Ueber Selene und Verwandtes. Mit einem Anhang von N. G. Politis über die bei den Neugriechen vorhandenen Vorstellungen vom Monde. Pp. 202, 5 plates. Leipzig: Teubner. 6 m.
- ROTH (K. L.). Griechische Geschichte nach den Quellen erzählt. 4th edit., by A. Westermayer. Pp. 535, illustr. Munich: Beck. 6/50 m.
- SCALA (R. von). Die Studien des Polybios. I. Pp. 344. Stuttgart: Kohlhammer.
- SCHMIDT (B.). Korkyräische Studien: Beiträge zur Topographie Korkyras und zur Erklärung des Thukydides, Xenophon, und Diodoros. Pp. 102, 2 maps. Leipzig: Teubner. 2/40 m.

IV. ECCLESIASTICAL HISTORY

- ABAEIARD'S 1121 zu Soissons verurtheilter Tractatus de unitate et trinitate divina, aufgefunden und erstmals herausgegeben von R. Stölzle. Pp. xxxvi, 101. Freiburg: Herder. 2/80 m.
- ACHELIS (H.). Die ältesten Quellen des orientalischen Kirchenrechtes. I: Die Canones Hippolyti. (Gebhart & Harnack's Texte und Untersuchungen zur Geschichte der altchristlichen Literatur. VI, 4.) Pp. 295. Leipzig: Hinrichs. 9/50 m.
- ACTA martyrum et sanctorum Syriace edidit Bedjan. I. Pp. 550. Leipzig: Harrassowitz. 20 m.
- ACTA Petri, acta Pauli, acta Petri et Pauli, acta Pauli et Theclae, acta Thaddaei edidit R. A. Lipsius. (Acta apostolorum apocrypha, post C. Tischendorf denuo ediderunt R. A. Lipsius et M. Bonnet. I.) Pp. cxi, 320. Leipzig: Mendelssohn. 12 m.
- ACTA SS. Nerei et Achillei Graece edidit A. Wirth. Pp. 42. Leipzig: Fock. 1 m.
- CATALOGUS codicum hagiographicorum Latinorum antiquiorum saeculo xvi qui asservantur in bibliotheca nationali Parisiensi ediderunt hagiographi Bollandiani. II. Pp. 493. Brussels: Schepens. 20 f.
- CUNO (F. W.). Franciscus Junius des älteren, Professor der Theologie und Pastor [1545-1602]. Leben, Wirken, Schriften, und Briefe. Pp. 426, plates. Basel: Geering. 13/50 f.
- DÖLLINGER (J. J. I. von). Die Papst-Fabeln des Mittelalters: ein Beitrag zur Kirchengeschichte. 2nd edit., with notes, by J. Friedrich. Pp. 188. Stuttgart: Cotta. 3/80 m.

- HARNACK (A.) Grundriss der Dogmengeschichte. II: Die Entwicklung des Dogmas im Rahmen der abendländischen Kirche. Pp. 138. Freiburg: Mohr. 3 m.
- HARTPT (H.) Waldenserthum und Inquisition im südöstlichen Deutschland. Pp. 126. Freiburg: Mohr. 3-20 m.
- HERZOG (H.) Bilder aus der Kirchengeschichte. Pp. 488. Aarau: Sauerländer.
- HERZOG (J. J.) Abriss der gesamten Kirchengeschichte. 2nd edit. by G. Koffmane. I, 2: Die römisch-katholische Kirche des Mittelalters. Pp. 415-850. Erlangen: Besold. 7 m.
- KRENKEL (M.) Beiträge zur Aufhellung der Geschichte und der Briefe des Apostels Paulus. Pp. 468. Brunswick: Schwetschke. 9 m.
- NOELDECHEN (E.) Tertullian, dargestellt von. Pp. 496. Gotha: F. A. Perthes. 9 m.
- PIJPER (F.) Geschiedenis der boete en biecht in de christelijke kerk. Pp. 448. The Hague: Nijhoff. 5-50 fl.
- PREGER (W.) Ueber die Fassung der französischen Waldesier in der älteren Zeit. Pp. 73. Munich: Franz. 4to. 2-20 m.
- ROBITSCH (M.) Geschichte der christlichen Kirche. 4th edit. by C. J. Bidmar. II: Die Neuzeit. Pp. 615. Regensburg: Verlags-Anstalt. 6 m.
- SAEGMÜLLER (J. B.) Die Papstwahlen und die Staaten von 1447-1555: eine kirchenrechtlich-historische Untersuchung über den Anfang des staatlichen Rechtes der Exklusive in der Papstwahl. Pp. 238. Tübingen: Laupp. 4-80 m.
- SOMMERVOGEL (C.) Bibliothèque de la Compagnie de Jésus. I: Bibliographie, par A. & A. de Backer. II: Histoire, par A. Carayon. Nouvelle édition. Bibliographie. I: *Abad-Boujart*. Pp. 964. Paris: Picard. 4to. 30 f.
- TOORENENBERGEN (A. van) & KLEYN (H. G.) Patristisch-biographisch woordenboek. II: *M-Z*. Pp. 1221. Utrecht: Kemink. 10-50 fl.
- USENER (H.) Der heilige Theodosios: Schriften des Theodoros und Kyrillos, herausgegeben von. Pp. 210. Leipzig: Teubner. 4 m.
- WAHRMUND (L.) Beiträge zur Geschichte des Exclusionsrechtes bei den Papstwahlen, aus römischen Archiven. Pp. 54. Vienna: Tempsky. 1 m.
- WALAFRIDI STRABONIS Liber de exordiis et incrementis quarundam in observationibus ecclesiasticis rerum. Ed. by A. Knoepfler. Pp. 114. Munich: Stahl. 2-40 m.
- WERNER (O.) Orbis terrarum catholicus, sive totius ecclesiae catholicae et occidentis et orientis conspectus geographicus et statisticus. Pp. 266. Freiburg: Herder. 4to. 10 m.

V. MEDIEVAL HISTORY

- BARDOT, POUZET, & BREYTON. *Mélanges carolingiens*. Pp. 165. Paris: Leroux. 5 f.
- CAPITULARIA regum Francorum denuo ediderunt A. Boretius & V. Krause. II, 1. (*Monumenta Germaniae historica*). Pp. 192. Hanover: Hahn. 4to. 7 m.
- GEYER (P.) Kritische Bemerkungen zu S. Silviae Aquitanae Peregrinato ad loca sancta. Pp. 60. Leipzig: Fock. 1-20 m.
- HANSEARTEN aus England [1275-1412] bearbeitet von K. Kunze. Pp. xlviii, 404. Halle: Buchhandlung des Waisenhauses.
- HODGKIN (T.) Theodoric the Goth. Illustr. London: Putnam. 5f.
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The causes of the fall of Poland [examining the defects in its constitution and the difficulties arising from its foreign relations, and describing the attempts at reform in the second half of the eighteenth century; with a criticism of the chief writers of the past century who have discussed the subject].—J. HAVET: *The coronations of kings Hugh and Robert* [showing that the placing of these events at Rheims, with certain peculiarities of date, is due to an interpolation by Pierre Pithou, whose marginal notes were, apparently by a printer's error, inserted in the text of his edition of a fragment of a chronicle of Saint Benoît-sur-Loire. The writer further examines the true chronology].—P. M. PERRET: *The embassy of the abbot of Saint Antoine de Vienne and Alain Chartier to Venice* [1425], from Venetian documents.—C. KOHLER: *The conquest of the Ticino by the Swiss* [1500–1503], with reference to the work of M. de Maulde-la-Clavière [criticising his conclusions].—xlvi. 1.—J. FLAMMERMONT: *Necker's second ministry* [part of a forthcoming history of Marie Antoinette], first article, with two letters [22 June 1789].—H. LOT: *The origin and meaning of the word 'Carolingian'* [showing that it was used chiefly by those outside Western Francia, and became limited to the rulers and the people of that country, being so employed even after the accession of Hugh Capet; and proposing to return to the notion that Charles the Great was a Frenchman].—G. BONET-MAURY prints the *will of Renée of France, duchess of Ferrara* [1573].

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—E. VACANDARD: *St. Bernard and the French monarchy* [his views of church and state, and his application of them in practice].—G. DU FRESNE DE BEAUCOURT: *The conspiracy of the duke of Alençon* [1455–1456].—J. A. PETIT: *The charges against Mary Stuart* [maintaining her innocence].—M. SEPET: *The oath of the Jeu de*

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6.—C. DE GRANDMAISON: *François Roger de Gaignières* [b. 30 Dec. 1642]; his correspondence and collections of portraits: first article, with letters.—H. F. DELABORDE: *The early lords of Joinville*.—P. M. PERRET: *The renewal by Charles VIII in 1484 of the treaty of 9 January 1478 between France and Venice*, with the text of the instrument.—H. MORANVILLE: *The Latin text of the abridged chronicle of William of Nangis* [found in a manuscript (Lat. 6184) in the Bibliothèque Nationale, which presents the original from which the French version printed in the 'Recueil des Historiens' was made, as distinguished from the altered form given by the Vatican manuscript described by M. Delisle in 1876].—A. D'HERBOMEZ prints a *letter of Louis XI to Sixtus IV relating to Spanish affairs* [26 Sept. 1475].

Revue d'Histoire Diplomatique, v. 1.

F. MASSON: *Berlin in 1776* [a description by the chevalier Gaussen, attached to the French embassy, 1772–1776].—C. SCHEFER: *Memoir by the marquis de Bonac* [on the state of European politics, September–November 1715].—J. DOINEL: *The reception of ambassadors at Orléans during the middle ages* [extracts from the municipal accounts, 1428–1598].—MARTENS: *Russia and England at the commencement of their diplomatic relations* [1553–1576, forming part of the introduction to the tenth volume of the collection of Russian treaties in course of publication by the author].—2.—BARON KERVYN DE LETTENHOVE: *An*

unpublished memoir by Margaret of Valois [a letter written in 1588 to Philip II of Spain, giving an account of her wrongs, appealing for Spanish intervention, and describing the condition of France].—LÉONARDON: *The furniture of an ambassador in the eighteenth century* [an account of the furniture and household goods taken to Lisbon by the marquis de Bombelles in 1786].

—MARTENS: *Russia and England at the commencement of their diplomatic relations*, concluded from [1576 to 1676, with special reference to the history of the exceptional commercial privileges enjoyed by English merchants in Russia till their abolition by the tsar Alexis in 1649.—On this article Mr. C. H. Firth communicates the following notes: In p. 205, for 'Gorsey' read 'Horsey.' In p. 242, for 'Coolperer' read 'Colepeper' (an account of lord Colepeper's embassy and reception at Moscow is printed in the 'Nicholas Papers,' published by the Camden Society, p. 182). In p. 244, for 'Preadax' read 'Prideaux' (Thurloe's State Papers contain the letters of Prideaux to his government concerning his mission). P. 238, the letter of the English parliament to the tsar of Russia which M. Martens is unable to find in the Russian archives is printed in the 'Journals of the House of Lords,' viii. 207; see also vii. 695, viii. 339, 369, 373. On the reception of Russian ambassadors in England in 1613, 1617, and 1621, see sir John Finett's 'Finetti Philoxenus,' pp. 24, 33, 51–56, 93, 103, 108–113].—H. AUBERT: *The court of Spain and the condition of Savoy in 1746* [extracts from the correspondence of count Conzié des Charmettes, sent to Madrid in 1746 to obtain an alleviation of the position of Savoy, recently conquered by Spain (1743), with a description of the Spanish court and ministers].

Annales de l'Ecole Libre des Sciences Politiques, vi. 1.—C. BORGEAUD: *The first constitutions of American democracy* [tracing the origin of the ideas embodied in the constitutions of Massachusetts, Connecticut, and Rhode Island, to the ecclesiastical organisation of the Brownists. The ideas which attempted and failed to transform English political society founded new communities in America].—E. BOUTMY: *The place of economic and social science in higher education*.—A. GAUVAIN: *The five missions of lord Stratford de Redcliffe to Constantinople* [a summary of S. Lane-Poole's 'Life,' which the writer finds too partial to lord Stratford. He concludes, however, that throughout his career lord Stratford pursued one aim, the defence of the eastern Christians].—P. DE QUIRI-

ELLE: *Pius IX and the French church*—*Bibliography of the literature of European diplomatic history from the treaty of Westphalia* [useful, but with many omissions in the English section].—2.—A. SOREL: *The war and the trial of Louis XVI* [a portion of the writer's 'L'Europe et la révolution française,' III (since published)].—C. LESAGE: *Customs duties and the price of corn* [showing by recent statistics of French trade that import duties raise the price of corn by the full amount of the tax].—J. CAPPERON: *Feudal property and the French revolution* [a summary of M. Beudant's recent work on the subject].—A. VANDAL: *France and Russia during the war of 1809* [criticising with great severity the conduct of Alexander. Ostensibly the ally of France he really sympathised with Austria. He should either have prevented the war altogether, by putting pressure on Austria, or exacted from Napoleon, as the price of Russian cooperation, guarantees that the conditions of peace should be satisfactory to Russian interests].—J. DARCY: *The memoirs of Talleyrand* [dealing principally with Talleyrand's attitude to the civil constitution of the clergy in 1791, and to the coup d'état of Fructidor in 1797, and his conduct at Erfurt in 1808].

Bulletin de la Société de l'Histoire du Protestantisme Français, xl. 3, 4. March, April.—J. PANNIER: *The law of 15 December 1790 on the property of protestant fugitives* [claiming its authorship for the count of Marsanne-Fontjuliane, and relating the history of the enactment and its working], with documents.—C. READ: *The proceedings of the huguenot refugees with the negotiators of the peace of Ryswick aiming at their re-establishment in France* [1697].—N. WEISS prints a letter of Francis I [27 June 1545] relating to the treatment of the Vaudois.—*The autobiography of Jacques Cabrit*, fifth article [1702–1704].

Revue de Cavalerie.—March, April.—General THOMAS: *Jean Baptiste Franceschi-Delonne* [b. 1767; a memoir], two articles.—*Operations on the communications of the army* [1813], second and third articles; concluded.—Count DE MARBY: *The will of a colonel of cavalry in 1786* [that of Galliot Louis Aubert, marquis de Tourny].—May.—General THOMAS: *Grouchy* [a biography].—*The events at Freiberg* [18 Sept. 1813].—*The French cavalry in 1791*.

Revue Critique d'Histoire et de Littérature.—March 30.—H. PIRENNE: *Sohn's 'Entstehung des deutschen Städtewesens'* [raising objections against the writer's view of the origin of towns and their constitutions in markets under

royal protection and in the regulations governing them (based upon the hypothesis of the king's presence there, so that the royal 'burgfriede' becomes the 'stadtfriede']).—April 13.—C. BEMONT: *T. Arnold's 'Memorials of St. Edmund's Abbey.'*—20.—A. CHUQUET: *Recent works on the time of the French revolution.*—27.—G. MASPERO: *Petrie's 'Kahun, Gurob, and Hawara.'*—May 11.—R. DUVAL:

Syriac lives of saints.—L.: *Works on the templars and the suppression of their order.*—C. PFISTER: *Debidour's 'Histoire diplomatique de l'Europe.'*

Revue des Etudes Juives.—January.—I. LOEB: *Notes on the history of the Jews in Spain* [extracts from the 'Boletin de la Real Academia de la Historia'].—R. CAGNAT: *The Roman army at the siege of Jerusalem.*—E. RODOCANACHI: *The ghetto at Rome.*

II. GERMANY

Sybel & Lehmann's **Historische Zeitschrift** (Munich), lxxvi. 1.—R. ROEPFEL: *On the origin of the Polish constitution of 3 May 1791* [mainly from Kalinka's 'Seym ezteroleitni,' III.].—K. WITTECH: *Magdeburg as a catholic city, 'Marienburg';* second article [down to the Swedish entry, 1632].—F. M. prints *three letters of Gneisenau* [24 June–5–6 Sept., 1815].—2.—G. STÖCKERT: *The position of Magdeburg as an imperial city* [examining the conditions of its 'reichsunmittelbarkeit'].—H. FORST: *Contributions to the history of Mary Stuart* [arguing for the genuineness of the casket letters, but admitting forgery in the promises of marriage, with remarks on the opinions of contemporaries on the question of genuineness].

Historisches Jahrbuch (Munich), xii. 1.—J. SCHMITZ: *The vicariate of Arles* [accepting W. Gundlach's conclusions as to the spuriousness of the 'Epistolae Viennenses' and examining the extent of the primatial rights conferred upon the see of Arles], first article.—Dr. FALK: *The attempt of the elector palatine Frederick III to introduce Calvinism into Sponheim*, from unpublished materials.—R. ERNSING: *On the life and works of Dietrich Koldes* [c. 1453–1515].—N. PAULUS: *Luther's journey to Rome* [bringing new evidence for the date October 1511, and showing that Luther was sent by the opponents of Staupitz, and that apparently his mission was successful].—D. RATTINGER: *On Dietrich von Nieheim* [noticing that he was at Genoa in August 1386].—Dr. JOSTES: *On the 'Heliand'* [arguing for its production in the monastery of Werden].

Quidde's **Deutsche Zeitschrift für Geschichtswissenschaft** (Freiburg), iv. 2.—H. PRUTZ: *Louvois and the devastation of the Palatinate* [1688–1689; maintaining that the responsibility for its atrocities rests less with Louis XIV than with Louvois, and arguing against C. Rousset's attempt to shift the blame upon Chamlay. It is noticed that the documents in the archives of the French ministry of war bearing upon the campaign are still kept

strictly secret].—A. BUSSON: *The battle at Alba between Conradin and Charles of Anjou* [1268]. I: The sources. II: The strength of the two armies. III: The part taken by Erard de Valery. IV: Conradin's disposition of his forces. V: The battle [printing from a St. Gall manuscript 'rhythmi de victoria Caroli'].—E. BERNHEIM: *The Carolings and papal elections* [noting the agreement of recent investigation on the point that until 824 they did not claim to confirm the election of the pope, but merely formally to recognise it after he had been consecrated].—H. FINKE: *Proceedings against a Waldensian in Ratibon* [1395, from a Vienna manuscript].—K. SCHELLHASS: *The vice-chancellorship of Kaspar Schlick* [from at latest August 1429 to 21 or 22 June 1433, the probable date of his appointment as chancellor].—L. PASTOR describes the recently discovered *original manuscript of Platina's 'Vitae pontificum'* [with apparently autograph additions].—C. FREY and A. SCHMARSOW: *The birthplace of Nicola Pisano* [arguing the one for Apulia, the other for Pulia near Lucca].—E. HUBERT: *Recent Belgian historical literature.*—O. MASSLER: *Bibliography of German history.*

K. B. Akademie der Wissenschaften zu München. Sitzungsberichte der philos.-philol. und hist. Classe, 1890, ii. 3.—KEINZ: *The diary of Aventinus* [giving corrections of the printed text from the recently discovered original].—W. SCHREINER describes an inscription of *Antoninus Pius* [138] found at Eining, with a plate.—A. VON DRUFFEL: *The Bavarian Franciscan Kaspar Schatzger* [† 1523] and his writings.—S. RIEZLER: *The trial for high treason of Hieronymus von Staup, Freiherr zu Emsfels* [executed 1516; with an examination of the record of the trial and a calendar of documents].—F. STIEVE: *Ernst von Mansfeld*, with fourteen letters relating to him [31 July–17 Oct. 1626].

Archiv für Oesterreichische Geschichte (Vienna), lxxvi. 2.—M. TANGEL: *On the 'liber fundationum' of the Cistercian abbey of Zwettl* [fourteenth century],

- with the diploma of Conrad III [1139] for the foundation of the abbey.—A. VON JAKSCH: *The introduction of the order of the knights of St. John into Carinthia and their commandery at Pulst*, with documents.—Freiherr VON HELFERT: *The end of the French domination in upper Italy and the military conspiracy in Lombardy* [1814], with documents and an index.—A. BACHMANN: *Maximilian I's election as king of the Romans* [differing in several points from Ulmann].
- Mittheilungen des Instituts für Oesterreichische Geschichtsforschung** (Innsbruck), xii. 1.—B. BRETHOLZ: *Studies in the 'libri traditionum' of St. Emmeram at Ratisbon* [describing the successive collections and explaining the existence in some cases of two documents differing in form though relating to the same grant].—W. ERBEN: *The early privileges for Werden and Corvei*.—O. REDLICH: *Vienna in the years 1276 to 1278 and king Rudolf's grant of municipal privileges* [made in 1277 and preserved in a document of 1278].—T. LINDNER: *Charles IV and the house of Wittelsbach* [examining the emperor's relations with Bavaria and maintaining that his policy was not naturally hostile to it, but that it to a great extent forced him into hostility].—H. von ZWIEDINECK-SÜDENHORST: *The battle of St. Michael and archduke John's operations in Styria in 1809*, with extracts from the autobiography of major-general Konstantin von Ettingshausen, the memoirs of archduke John and baron Jellačić, and letters of the archduke, the emperor Francis II, and general von Kerpen.—P. SCHEFFER-BOICHOEST: prints a document of *Frederick I* [drawn up at Gisors, south of Lyons, in the second half of 1170, giving evidence of an otherwise unknown journey of the emperor to Burgundy in that year].—R. THOMMEN prints three letters of *Johannes Bugenhagen*.—W. LIPPERT: *Historical works published in connexion with the octingentenary of the house of Wettin in the march of Meissen*.
- Delbrück's Preussische Jahrbücher** (Berlin), lxxvii. 3. *March*.—G. F. KNAPP: *Serfdom in eastern Germany* [maintaining that in most of Prussia it never existed at all, and in the rest only in a modified form].—4. *April*.—O. HARNACK: *Livonia as a member of the German empire from the thirteenth to the sixteenth century*; a lecture.—5. *May*.—Lieutenant-colonel R. WAGNER: *Rastatt, the fourth fortress of the confederation* [after Luxemburg, Landau, and Mainz; finally decided upon, 1842], and article.
- Ermisch's Neues Archiv für Sächsische Geschichte und Altertumskunde**

(Dresden), xii. 1, 2.—The late L. SCHWABE: *Duke George of Saxony, governor of Friesland* [under Maximilian].—G. WOLF: *The policy of electoral Saxony* [1568-1570].—W. LIPPERT: *Collections of portraits of Saxon princes*.—H. ERMISCH: *The town of Freiberg in the middle ages, with a plan*.—H. KNOTHE: *The burning of the Kosela* [Kosel] *by the Sechsstädte of Upper Lausitz* [1406].—P. ARRAS prints a letter of *Sigismund to the people of Kamenz* [1430].—T. DISTEL: *The birthday of duke George 'der Bärtige'* [probably 13 August 1471]; and other notes.—E. JOHNSON: *On the biography of Detlev count Einsiedel, Saxon cabinet minister* [† 1861].

Zeitschrift der Deutschen Morgenländischen Gesellschaft (Leipzig), xlv. 4.—P. HORN prints the memoirs of *shah Tahmâsp of Persia*, and describes Sassanian gems from the British Museum.

CHURCH HISTORY

Theologische Studien und Kritiken (Gotha), 1891, 3.—*Luther and bigamy* [a defence].

Zeitschrift für Katholische Theologie (Innsbruck), xv. 2.—F. PROBST: *The abbé Duchesne on the three oldest Roman sacramentaries* [arguing against his contention in favour of a later date than that commonly accepted].—J. K. ZENNER: *Archbishop Richard Fitz-Ralph's views on the text of the Bible* [from his 'Summa contra Armenos'].—E. MICHAEL discusses *Henner's work on the legal history of the inquisition and Ranke's treatment of the inquisition in Spain*.

Hilgenfeld's Zeitschrift für Wissenschaftliche Theologie (Leipzig), xxxiv. 3.—E. EGLI: *Commentary on Wright's Syriac martyrology*.—J. DRÄSEKE: *Michael VIII Palaeologus' attempt at church union* [partly based on materials recently published by K. Simonides and A. Demetrakopoulos].—A. HILGENFELD: *On the martyrdom of Perpetua*.

MILITARY HISTORY

Jahrbücher für die Deutsche Armee und Marine (Berlin), lxxix. 1-3. *April-June*.—Dr. DANGELMAIER: *The history of military justice*, three articles.—Baron VON DER WENGEN: *Contributions to the history of the campaigns on the Upper Rhine* [1733 and 1734], three articles.

Neue Militärische Blätter (Berlin), xxxviii. 4. *April*.—Captain MÖLLER: *The practical value of the study of military history*, continued.—K. STICHLER: *Historical and military contributions to the question of the neutrality of states*, concluded in the

May number.—Captain DECHEND: *The journal of the Hessian general staff in the campaign of 1792 in Champagne* [from the Marburg state

archives], continued in the May number.—6. June—General Macdonald's march over the Splügen pass [December 1800].

III. GREAT BRITAIN AND IRELAND

Archæological Journal, No. 188.—R. S. FERGUSSON: *Pictureboard dummies at Carlisle* [illustrating military costume], with plates.—E. W. BECK: *The keys of St. Peter at Liège and Maastricht*, with plates.—W. H. Sr. JOHN HOPE: *Gloucester civic insignia*; with notes on maces of the time of the commonwealth.—BUNNELL LEWIS: *Roman antiquities of the middle Rhine*, continued; with plates.—189.—F. HAVERFIELD: *Archæological notes on museums in Galicia and Transilvania*, with plates.—F. A. HYETT describes a contemporary tract giving an account of a fictitious engagement at Gloucester [11 Oct. 1642].—C. T. DAVIS: *The monumental brasses of Gloucestershire*.—J. J. DOHERTY: *Bells; their origin, uses, and inscriptions*.—The late sir J. H. LEFROY: *Parochial accounts of St. Neots, Cornwall, in the seventeenth century* [with a transcript of those for 1609].—R. S. FERGUSSON: *The heraldry of the Cumberland statesmen*.

Church Quarterly Review, No. 32. April—Bishop Lightfoot's *St. Clement of Rome*.—The acts of the martyrdom of Perpetua.—The journal of sir Walter Scott.—The church of Denmark since the reformation.—The Marian persecution [on R. W. Dixon's 'History of the Church of England,' iv.].

Dublin Review. 3rd Series. No. 50.—W. WARD: *The scholastic movement and catholic philosophy*.—T. B. SCANNELL: *Talleyrand's diplomatic letters* [1792-1799; from G. Pallain's publications].—H. HAYMAN: *The 'Constitution of the Athenians' ascribed to Aristotle* [arguing against the ascription].—L. RIVINGTON: *The Anglican claim to historical Christianity* [polemical].

Edinburgh Review, No. 354. April—The correspondence of William Augustus Miles on the French revolution.—Scandinavian antiquities [a survey of recent literature].—The Antarctic circle [a record of discovery and ex-

ploration].—The civil war in America.—Aristotle on the Athenian constitution [examining the authority of the work for the constitutional history of Athens].—The jesuits in England in the sixteenth and seventeenth centuries.—Cardinal Newman's life in the English church.—Napoleon I and the Russian alliance [1807-1808].

Jewish Quarterly Review, No. 11.—S. DEBRÉ: *The Jews in France from 1790 to the present time*.—D. KAUFMANN: *The genealogy of magister Mosseus, rabbi of London* [before the expulsion] from a Hebrew manuscript at Frankfurt.

Law Quarterly Review, vii. 2. April—F. W. MAITLAND: *A new point on villein tenure* [discussing W. J. Ashley's observation that the passage in Littleton's 'Tenures' bearing on the subject does not appear in the earlier editions of that work and is first found in Redmayne's edition of 1530].

Quarterly Review, No. 344. April—'Aristotle on the constitution of Athens' [arguing that the work is neither by Aristotle nor by an immediate pupil of Aristotle].—'Mandeville's travels' [accepting the proof that Mandeville never existed and that the work is a translation from the French, and showing that the writer never travelled further east than Palestine, if so far].—Canada and the United States; their past and present relations.

Scottish Review, No. 34. April—J. G. ALGER: *Jean Baptiste de Boyer, marquis d'Eguilles*, French envoy to Charles Edward in 1745 [from his (published) narrative of the rebellion].—Major C. R. CONDER: *The Tell-Amarna tablets*.—J. RHÏS: *The spread of Gaelic in Scotland* [traced to the movement of the Dalriad Scots and the Columban clergy].—F. LEGGE: *The Spanish inquisition* [the causes of its introduction, its procedure, the number of its victims].

IV. HOLLAND AND BELGIUM

Bijdragen tot Vaderlandsche Geschiedenis en Oudheidkunde (The Hague). 3rd Series, vi. 2, 3.—F. J. L. KRÄMER prints an *unedited secret treaty of William III* with the sieur de Sardan, deputy of the provinces of Guienne, Languedoc, Dauphiné, and Provence

[21 April 1674], together with the already published complementary one between Spain and the same provinces [23 July 1674].—S. GRATAMA: *The origin and growth of the peculiar municipal government of Groningen* down to the beginning of the fifteenth

century.—S. MULLER HZN.: *The beginning of the year at Rotterdam before the reformation* [reckoned from Christmas, the 'stilus communis,' as distinguished from the 'stilus curie,' introduced by the counts of Hainault, which began at Easter].—G. SLOT-HOUWER: *The rebellion at Mons in 1830* [partly from the reminiscences of an officer in the garrison there].—R. FRUIN prints a fragment of a list of the possessions of the abbey of Echternach [c. 1100], newly collated and commented on.

Message des Sciences Historiques de Belgique (Ghent), 1890, 3, 4.—P. CLAEYS: *The Ghent hangman* [an account of his office, with notices of executions and the use of torture down to its abolition in 1794], two articles.—P. BERGMANS prints a memoir by

P. J. de Neny on the archives of Flanders drawn up in 1763.—J. T. DE RAADT: *The seignories of the country of Malines*: Keerbergen, concluded.—A. GALLET-MIRY: *Provincial administration in Flanders in the Spanish and Austrian periods* [with a sketch of the earlier history of the estates of Flanders], first and second articles.—J. FREDERICHX prints a letter of Margaret, duchess of Burgundy, and her daughter Mary to the parliament of Malines [15 Jan. 1477, ten days after the death of Charles the Bold].—J. T. DE RAADT: *Albert, count of Berg and marquis of Bergen-op-Zoom* [d. 1656-1657].—V. V. H.: *Prosecutions for heresy* [1582-1583].—J. DESTREE describes the *psalter of Guy de Dampierre* [of the thirteenth century], with plates.

V. ITALY

Archivio Storico Italiano (Florence), 5th ser. vi. 3.—F. NOVATI: *Donato degli Albazano at the court of Este*, with a calendar of documents [1388-1411], Donato's will [1411], and an account of a Vatican manuscript (No. 5223) perhaps written by him.—G. CLARETTA: *The emperor Joseph II at Turin in June 1769*, with letters, &c.—E. RIDOLEI: *The portrait of Giovanna Tornabuoni in the choir of S. Maria Novella at Florence* [known by a mistake as a portrait of Ginevra de' Benci].—C. CIPOLLA: *On the legend of king Theodoric at Verona* [citing the local traces of it].—G. R. SANESI prints a letter giving an account of Buonaparte at Florence [29 June 1796].—F. TOCCO: *Father Ehrle's publications on the Franciscan movement in the fourteenth century*.

Rivista Storica Italiana (Turin), viii. 1.—I. RAULICH: *The Valison manuscript of the 'Annales Mediolanenses' and its author* [discovered to bear the name of Fabrizio Marliani, bishop of Piacenza, and the date 1496].—C. MERKEL: *Adelaide of Savoy, electress of Bavaria* [b. 1636], from her unpublished correspondence; first article.

Archivio Storico Lombardo (Milan), xviii. 1.—G. ROMANO: *Gian Galeazzo Visconti and the heirs of Bernabò*, first article [to 1394].—P. GHINZONI: *Bernardino Corio's account of Christiern I*

of Denmark's treatment of Bernardino Missaglia [printing documents, 1474-1475, in proof of its incorrectness].—L. ZERBI: *St. Charles Borromeo and the plague at Monza* [1575-1577].—D. SANT' AMBROGIO: *The Cistercian abbey of Morimondo* [in the valley of the Ticino].—C. CIPOLLA: *The river 'Atis' or 'Aitis' mentioned by Wipo, 'Gesta Chuonradi II,' xiv.* [probably the Adda].—A. CAPPELLI: *Giovanni and Isacco Argiropulo* [with letters, 1456, 1472-1473].

Archivio Storico per le Province Napoletane, xvi. 1.—B. CROCE: *The theatres of Naples from the fifteenth to the eighteenth century, continued*.—G. DEL GIUDICE: *Riccardo Filangieri under Frederick II, Conrad, and Manfred*, second article [1228-1233].—N. F. FARAGLIA: *The topography of the Abruzzo in the middle ages*, first article [on its civil condition under the Lombard dukes].—G. CECI: *Churches and chapels at Naples recently destroyed or awaiting destruction*, second article.—D. B. prints a history of [what became] the kingdom of Naples [1040-1458, written by a Venetian at the end of the fifteenth century], first part.—Note on various lawsuits at Naples [1476-1630] and charters [now being calendared in the Neapolitan archives].

VI. RUSSIA

(Communicated by W. R. MORFILL)

The Antiquary (Starina).—March-April-May.—Baron TIESENHAUSEN: *Field-marshal Diebitsch Zabalkauski* [an account of his illness and death].—

March.—*Memoirs of Mochnacki; the Polish insurrection in 1830-1831, continued*.—Lieutenant-general KOCHOVSKI: *The affair of 22 May 1854*

at Silistria. — April. — I. VTOROV : *Moscow and Kazan in the beginning of the nineteenth century* [the death of Paul and coronation of Alexander]. — April-May. — The *journal of count Peter Valuyev*, 1847-1860 [with notes on the Crimean war]. — May. — I. MAIEVSKI : *The procession at Grodno on 14 August 1861* [the writer took part in this political demonstration, in consequence of which he was banished for some years to Siberia].

The Historical Messenger (Istoricheski Viestnik). — March. — A. PETROV : *Russian diplomats at the congress of Paris in 1856*, concluded. — April. — N. M. : *The diplomatic relations of Russia with France since the seventeenth century* [the first intercourse dates from the sending of a messenger by Feodore in 1586, announcing his succession to the throne]. — May. — V. B. : *The murder of the tsarevich Demetrius* [an attempt to show that it was planned by Basil Shuiski and not by Godunov]. — A. TRROV : *The Sloboda of Yuriev in the government*

of Yaroslav [an account of its historical associations].

Journal of the Minister of Public Instruction (Zhurnal Ministerstva Narodnago Prosviestchenia). — March. — N. MILUKOV : *Political economy in Russia, in connexion with the reforms of Peter the Great*, continued. — April-May. — M. SOKOLOV : *The newly discovered work of Krizhanich on the union of the churches* [an important work by the first panslavist]. — May. — S. ROZHDESTVENSKI : *An account of Russia in the historical miscellany, 'Theatrum Europaeum'* [published at Frankfurt and containing information about Russia, among other countries, from 1618 to 1718]. — E. SCHMURLO : *The account of Russia in the time of Ivan the Terrible given by Giovanni Tedaldi [papal nuncio]*. — I. LINNICHENKO : *Survey of recent works on the history of Galicia*. — S. PLATONOV : *The tumults in the city of Moscow and the village of Kolomenskoe, 1648, 1662, and 1771*.

VII. SPAIN

Boletín de la Real Academia de la Historia, xviii. 2. February. — J. G. DE ARTECHE : *The correspondence of F. Amat, abbot of La Granja in the reigns of Charles IV and Ferdinand VII* [relating to the proposal for converting the American colonies into feudal viceroalties under members of the royal family and Godoy, to the quarrel between Charles IV and Ferdinand, and to the intentions of the royal family to migrate to America]. — F. DANVILA : *The Jewry of Valencia*. — F. FITA : *San Luis Gonzaga at the Escorial and at Perpignan [1582]*. — Documents relating to the transference of the remains of Calixtus III and Alexander VI to Montserrat. — 3. March. — C. PUJOL Y CAMPS gives the results of recent monographs on the drummer of Bruch [a village youth who contributed to the first victory of the Catalans over the

French, 6 June 1808. The drum was the instrument used in the processions of Holy Week at San Peder]. — F. FITA : *Documents relating to the bishops Guisliberto and Berenguer and the customs of Barcelona [1061-1063]*. — F. DE CÁRDENAS : *The marqués de Molins [1812-1889]*, a biographical notice. — F. FITA : *Epigraphical notices*. — 4. April. — F. CODERA : *The works of Spanish Moors in the libraries of Constantinople*. — E. M. O. DOGNÉE : *The signature of Columbus*. — F. FITA : *The will of Sancho de Diaz de Trujillo, bishop of Morocco [1570]*, and documents relating to Pedro de Montemolin, bishop of Morocco [1487]. — F. FITA : *Epigraphical notices*.

Revista General de Marina, xxviii. 5. May. — R. MONLEÓN : *The caravels of Columbus* [a study of naval archaeology], illustrated.

VIII. UNITED STATES OF AMERICA

Magazine of American History. — March. — A. W. CLASON : *The Pennsylvania convention, 1788*. — J. C. HAMILTON : *Slavery in Canada [1689-1833]*, from a paper read before the Canadian Institute. — April. — R. LUDLOW FOWLER : *The Chesapeake and lieutenant Ludlow* [written to disprove some statements made in the 'Century' magazine, December 1890], with portraits and unprinted letters. — W. W. HENRY : *A defence of captain John Smith*. — Letters by general Grant

and general Sherman. — May. — Mrs. M. J. LAMB : *William H. Seward [1801-1872]*, a sketch, with portraits. — G. PATTERSON : *Early Portuguese explorations in the New World [1500-1579]*, with reference to early maps. — Letter by general J. M. Varnum on the framing of the constitution of the United States [1787]. — Letter by G. Budd, officer of the Chesapeake [describing the action of 1813], reprinted from a contemporary newspaper.

THE ENGLISH HISTORICAL REVIEW

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The Introduction of Knight Service into England

III. *Scutage, aid, and 'donum.'*

PRECIOUS for our purpose as are the *cartae* of 1166, their evidence, as it stands, is incomplete. It needs to be supplemented by the early pipe-rolls of Henry II's reign. By collating these two authorities we obtain information which, singly, neither the one nor the other could afford. All those entries on the rolls which relate to *scutagia*, *auxilia*, or *dona* require to be extracted and classified before we can form our conclusions. Hitherto historians have remained content with repeating Swereford's *obiter dicta*, as extracted from 'The Red Book' by Madox, without checking these statements by the evidence of the rolls themselves.

The question of Swereford's authority is one which it is absolutely necessary to deal with, because his statements have been freely accepted by successive historical writers, and have formed, indeed, the basis on which their conclusions rest. Now the presumption is naturally in favour of Swereford's knowledge of his subject. His introduction to the 'Red Book' is dated 1230, and he tells us that he had been at work among the records in the days of King John, under the bishop of Ely himself: he wrote with the actual rolls before him: he had been intimate with the leading officials of the exchequer, and enjoyed full knowledge of its practice and its traditions. I cannot wonder that, this being so, his positive assertions should have been readily believed, or that Mr. Hall,

when I was associated with him in preparing the 'Red Book' for the press, should, with a kindly bias in favour of so venerable an authority, have shrunk from my drastic criticism of his famous introduction to that volume.

On the other hand we have Swereford's own admission that he worked from the rolls alone.¹ These rolls are, for all purposes, as accessible to us as they were to him, while we possess the advantage of having in contemporary chronicles sources of information which he did not use, and with which, indeed, he shows no sign of being even conversant. We must go, therefore, behind Swereford and examine for ourselves the materials from which he worked.

Passing, for the present, over minor points, I would fix on the 'Great Scutage,' or 'Scutage of Toulouse,' as the test by which Swereford's knowledge and accuracy must stand or fall. If he is in error on this matter, his error is so grievous and so far-reaching that it must throw the gravest doubt on all his similar assertions. The date of the expedition against Toulouse was June 1159 (the host having been summoned at Mid-Lent): from the chroniclers we learn that, to provide the means for it, and especially to pay an army of mercenaries, a great levy was made in England and beyond sea. The roll of the following Michaelmas records precisely such a levy, and the payments so recorded must have been made for the expenses of this campaign. But we can go further still; we can actually prove from internal evidence that the levy accounted for on the roll of 1159 was made expressly for the Toulouse campaign.² Yet we are confidently informed by Swereford that this levy was for a Welsh war, and that the scutage of Toulouse is represented by the levies which figure on the rolls of 1161 and 1162. He appears to have evolved out of his inner consciousness the rule that a scutage, though fixed and even paid in any given year, was never accounted for on the rolls till the year after.³ But as even this rule will not apply to his calculation here, one can only suggest that he was absolutely ignorant of the date of the Toulouse campaign.⁴ The value of Swereford's calculations is so seriously affected by this cardinal error, that one may reject with less hesitation his statement that the scutage of 1156 was taken for a Welsh war, and not, as there is evidence to imply, for a campaign against the king's brother. Swereford, again, may be pardoned for his ignorance of the fact that scutage existed under

¹ *Prout rumor ex rotulis ad me devenit.*

² See p. 636, *infra*.

³ *Et nota quod quandocumque assidentur scutagia, licet eodem anno solvantur, annotantur tamen in annali anni sequentis* (Red Book, ed. Hall, p. 8).

⁴ It is just possible that the source of his error is to be found in a solitary entry on the roll of 1163: *Advocatus de Betuna reddit compotum de vi li. xiii s. iiii d. de auxilio exercitus de Tolusa* (p. 9)—which refers to the levy of 1161.

Henry I,⁵ but when he unhesitatingly assigns the Domesday survey to the fourteenth year of the Conqueror (1079–1080), he shows us that the precision of his statements is no proof of their accuracy. On both these points he has misled subsequent writers.

The incredible ignorance and credulity even of officials at the time are illustrated by the fact that the Conqueror was generally believed to have created 32,000 knights' fees in England, and that Swereford plumed himself on his independence in doubting so general a belief.⁶ His less sceptical contemporary, Segrave, continued to believe it, and even Madox hesitates to reject it.

The persistent assertion that the *Cartae Baronum* were connected with, and preliminary to, the *auxilium ad filiam maritandam* of 1168 is undoubtedly to be traced to Swereford's *ipse dixit* to that effect. He distinctly asserts that the aid was fixed (*assisum*) in the thirteenth year (1167), that the returns (*cartae*) were made in the same year (1167), and that the aid was paid and accounted for in the fourteenth year (1168).⁷ Modern research, however, has shown that the returns were made quite early in 1166, while the youthful Matilda, we know, was not married till October 1168. This throws an instructive light on Swereford's *modus operandi*. Finding from the rolls that the payments made in 1168 were based on the returns in the *cartae*, and not being acquainted with the date of the latter, he jumped to the conclusion that they must have been made in 1167, it being his (quite unsupported) thesis that all levies were fixed in the year preceding that in which they were accounted for on the rolls.

Proceeding further we find him explaining (p. 9) that he omits the aid of 1165, *quoniam probata summa auxilii propter hoc non probatur numerus militum*. And yet this aid, the last to be taken before the returns of 1166, is of special value and importance for the very purpose he speaks of. It is, indeed, an essential element in the evidence on which I build; and this compels me to discuss the point in some detail.

Those who contributed towards this aid either (1) gave arbitrary sums for the payment of *servientes*—whose number was almost invariably some multiple of five—or (2) paid a marc on every fee of their *servitium debitum*. We are only here concerned with those who adopted the latter course. Now let us take the case of those who adopted this alternative in the counties of Notts and Derby, and compare their payments with their *servitium debitum* as known to us from other sources.

⁵ *Temporibus enim regis Henrici primi . . . nec inspexi vel audivi fuisse scutagia assisa* (p. 5).

⁶ *Illud commune verbum in ore singulorum tunc temporis divulgatum.*

⁷ See *Red Book*, pp. 5, 8.

PAYMENTS (1165)	SERVICE (1166)
Hubert fitz Ralf 30 <i>marcae</i>	30 knights
Ralf Halselin 25 „	25 „
Robert de ' Calz ' 15 „	15 „
Roger de Burun 10 „	10 „

In this case there is no doubt as to the *servitium debitum*, for it is ascertained from the *cartae* themselves. Having then proved, by this test, the exact correspondence of the payments, I turn to the case of Devonshire.

PAYMENTS (1165)	SERVICE (1166)
Robert ' filius Regis ' 100 <i>marcae</i>	unknown
William de Traci 30 „	„
William de Braose 25 „	„
Oliver de Traci 25 „	„
Abbot of Tavistock 15 „	15 knights ⁸
William fitz Reginald 1 „	1 „
Ralf de Valtort 1 „	1 „
Robert fitz Geoffrey 1 „	1 „

Here we are supplied by this roll with four important *servitia* which would otherwise be absolutely unknown to us. And they happen to be of special interest. For while the *carta* of William de Braose returns twenty-eight fees, and that of Oliver de Traci twenty-three and a half (though he pays on thirty and a half),⁹ their payments in 1165, by revealing their *servitium debitum*, show us that their fiefs represent the two halves of the Honour of Barnstaple (which, therefore, was assessed at 50 knights) then in their respective hands. Again, William de Traci returns his fees in his *carta* as twenty-five and three-quarters, and says nothing about any balance on his *dominium*, as he should have done. Hence we should not have known his *servitium* but for the roll of 1165.

Swereford's extraordinary failure to understand this roll aright is possibly due to the fact that most of the relevant payments are entered without mention of their object. He seems to have been very dependent upon the rolls explaining themselves, and to have worked in the spirit of a copying clerk rather than of an intelligent student.

One more example of his errors will suffice. In his abstracts from the aid *ad maritandam primogenitam filiam regis* (1168) we read:—

Abbas Gloucestriae de promissione, sed non numeratur quid; sed in rotulo praecedenti dicitur:—Abbas Gloucestriae debet xxxviii l. ij s. vj d. de veteri scutagio Walliae.

Now (1) the amount of the abbot's contribution is duly entered on the roll (*xl marcas de promissione de eodem auxilio*), and it

⁸ See list of church fiefs.

⁹ His *carta* is corrupt.

is not paid in respect of fees, but is a voluntary proffer; (2) the phrase in the preceding roll is not '*de veteri scutagio*' but '*de veteri exercitu*;' (3) the payment there recorded represents a contribution of 50 *servientes*, and had nothing to do with scutage, for the abbot (as Swereford should have known) did not hold by military service, and ought not, therefore, to figure in his lists at all.¹⁰

Let us turn, therefore, to the rolls themselves. Now, although the language of the exchequer was not so precise as we could wish, it is possible, more or less, to distinguish and classify these levies. Thus, we have of course a typical 'aid' in the levy for the marriage of the king's daughter (1168), while, on the other hand, we have an equally typical 'scutage' in 1156, in the payments made by the church tenants in lieu of military service.

On the institution of *scutage* there has been much misconception. It is placed by our historians among the great innovations wrought by Henry II, who is supposed by them to have introduced it in 1156.¹¹ Here we see, once again, the danger of seeking our information on such points secondhand, instead of going straight to the fountainhead for ourselves.

John of Salisbury implies that scutage was no novelty in 1156 when he writes, not that the king imposed it, but that he '*could not remit it*.' This inference is at once confirmed by the appearance of scutage *eo nomine* in the reign of Henry I.

The following charter is found in the (MS.) *Liber Eliensis* (Lib. III.), No. xxi., and in the Cottonian MS. Nero A. 15:—

H. rex Anglorum Archiepiscopus, Episcopus, Abbatibus, Comitibus, etc. Salutem. Sciatis me condonasse Ecclesie S. Aetheldredae de Ely pro Dei amore et anima Patris et Matris meae et pro redemptione peccatorum meorum, et petitione Hervei ejusdem Ecclesie Episcopi 40 libras de illis 100 libris quas predicta Ecclesia solebat dare de *Scutagio* quando *Scutagium* currebat¹² per terram meam Anglie: ita quod Ecclesia amodo inperpetuum non dabit inde nisi 60 libras quando *Scutagium* per terram evenierit, et ita inperpetuum sit de predictis libris Ecclesia predicta quieta. T. Rogero Episcopo Saresberiensis, Gaufrido Cancellario meo et Roberto de Sigillo et Willelmo de Tancarvilla et Willelmo de Albineio Pincerna et Radulfo Basset et Gaufrido de Clintona et Willelmo de Pondelarche. Apud Eilinges in transitu meo.

¹⁰ Abbas Gloucestrie tenet omnes terras in libera elemosina (*Testa*, p. 77).

¹¹ 'A new impost specially levied (1156) upon some of the ecclesiastical estates under the name of *scutage*.' Norgate's *Angevin Kings*, i. 433. 'The famous scutage, the acceptance of a money composition for military service, alike for the old English service of the fyrd' [this, of course, is a misconception], 'and for the newer military tenures, dates from this (1159) time' (Freeman's *Norman Conquest*, v. 674). 'The term *scutage* now (1156) first employed. . . . As early as his second year (1156), we find him collecting a scutage, a new form of taxation.' Stubbs's *Const. Hist.* i. 454, 458, 581, 590.

¹² I have found the phrase *debet scutagium quando currit* in a record of Edw. I and elsewhere.

This is followed by (No. xxii.) a grant of Charteris Abbey to the church of Ely; ¹³ and this again is followed, in a register of Charteris Abbey, ¹⁴ by a remission of 6s. 7d. Wardpenny hitherto paid by that abbey. These two charters receive singular confirmation, being thus accounted for in the pipe-roll of Henry I:—

Et idem Episcopus debet ccxl li. ut rex clamet eum quietum de superplus militum Episcopatus, et ut Abbatia de Cateriz sit quieta de Warpenna (p. 44).

This entry, moreover, connects the *scutagium* with the system of knight service (*superplus militum*).

It is delicious to learn, on comparing the records, that the virtuous king who made these grants for the weal of his parents' souls and the remission of his own sins, extorted from the church, for making them, an equivalent in hard cash. ¹⁵

Indeed, a little consideration will show that payment in lieu of military service, which was the essential principle of scutage, could be no new thing. The two forms which this payment might assume—payment to a substitute, or payment to the crown—both appear in Domesday as applicable to the fyrd; the former is found in the 'Customs' of Berkshire, the latter in other passages. From the very commencement of knight-service, the principle must have prevailed; for the 'baron' who had not enfeoffed knights enough to discharge his *servitium debitum*, must always have hired substitutes, to the amount of the balance. Nor is this a matter of supposition; we know as a fact, from the Abingdon Chronicle and the Ely History, that under William I knights were so hired. ¹⁶ Here it should be noted, as a suggestive fact, that the 'forty days' of military service, though bearing no direct proportion either to the week or to the month, do so to the marc and to the pound. The former represents 4d., and the latter 6d., for each day of the military service. ¹⁷ It may fairly be assumed that this normal

¹³ *Teste Gaufrido Cancellario et Willelmo de Albineio Pincerna, et Gaufrido de Clintona et Pagano fil. Johannis. Apud Sanctum Petrum desuper Divam.*

¹⁴ Cott. MS. Julius A. i. 6, fo. 74a.

¹⁵ These charters have an independent value for the light they throw, in conjunction with the roll, on the movements of the king. The roll itself alludes to the occasion on which the king crossed from Hayling—*ex quo rex mare transivit de Eil-ling[es]*—and as it is assigned to Michaelmas 1130, the entry cannot refer to his departure at that very date, especially as these charters are not paid for among the *nova* proceedings of the year. They must therefore have been granted at his previous departure (Aug. 1127), when he must have crossed from Hayling island and have gone to S. Pierre sur Dive (and Argentan) in Normandy.

¹⁶ *Abbas locum sibi commissum munita manu militum secure protegebat; et primo quidem stipendiariis in hoc utebatur* (Cart. Abingdon. ii. 3). *Unde abbas tristis recedens conduxit milites, &c.* (*Historia Eliensis*, p. 275). So too Bishop Wulfstan is found *pompam militum secum ducens qui stipendiis annuis, &c.* (W. Malmesb.)

¹⁷ It is singular that in his admirable work, *The English Village Community*, pp. 38-9, Mr. Seebohm connects 'the normal acreage of the hide of 120 a., and of the virgate of 30 a., with the scutage of 40s. per knight's fee,' and argues that 'in choosing

'scutage' would be based on the estimated cost of substitutes paid direct. Thus the only change involved would be that the tenant would make his payments not to substitutes, but to the crown instead.

There is a valuable entry bearing on this point in the roll of 8 Hen. II (p. 53). We there read:—

Et in liberatione vii militum soldariorum de toto anno quater xx et iiii li. et xviii s. et viii d. Et in liberatione xx servientium de toto anno xxx li. et vi s. et viii d. Et in liberatione viii Arbalist' viii li. et xvi sol. Et in liberatione v vigilum et i Portarii vi li. et xvi d.

This represents 8*d.* a day to each of the seven knights for a year of 364 days, which, be it observed, corresponds precisely with the statement in the *Dialogus*:—*Duo milites bajuli clavium quisque in die viii [den.] ratione militiae; asserunt enim quod equis necessariis et armis instructi fore teneantur*, &c. (i. 3). And so, we see, a scutage of two marks, such as that which was raised for the expedition of Toulouse (1159), would represent, with singular accuracy, 8*d.* a day for the forty days of feudal service, or exactly a knight's pay. Again, the pay of the *serviens*, recorded in this passage, works out at a penny a day for a year of 364 days, which has an important bearing, we shall find, on the roll of three years later (11 Henry II). A similar calculation shows that the porter received 2*d.* a day, and the *vigil* 1*d.*—the very pay assigned him in the *Dialogus* (i. 3). There is another similar passage in the roll of 14 Hen. II (p. 124):—

Et in liberatione i militis et ii Portariorum, et ii vigilum de Blancmost' xviii li. et v sol. Et in liberatione xl servientum de Blancmost' de xxix septimanis xxxiii li. et xvi s. et viii d. Et xx servientibus qui remanserunt xxiii septimanas xiii li. et viii s. et iiii d.

Here again the knight's pay works out at 8*d.* a day, while the porters, the watchmen, and the *servientes* received 1*d.* Specially valuable, however, are the entries (to which no one, I think, has drawn attention) relating to the small standing guards kept up in the summer months at 'Walton' and Dover.¹⁸ Eventually the payments to these guards were made from the central treasury (*exitus de thesauro*), and are therefore appended, on the rolls, to the list of *combustiones* where no one would think of looking for them.

the acreage of the standard hide and virgate, a number of acres was probably assumed corresponding with the monetary system, so that the number of pence in the *scutum* should correspond with the number of acres assessed to its payment.' It need hardly be observed that the institution of scutage was, on the contrary, long posterior to that of a hide of 120 a.

¹⁸ Walton was at the mouth of the Orwell and the Stour, and was thus an exposed port towards Flanders as Dover was towards France. It is noteworthy that when the earl of Leicester did invade England from Flanders a few years later, it was at 'Walton' that he landed.

On the roll of 10 Hen. II we find:—*Liberatio iiii militum et ii servientum de Waletone a festo Ap. Phil' et Jac' usque ad festum S. Luce xxxiii li. et xx d.* This works out at exactly 8d. a day for the *miles*, and 1d. for the *serviens*. On the roll of the next year the five knights at Dover are paid 25l. for 150 days' service, or exactly 8d. a day each. So too on the roll of the thirteenth year we read:—*Liberatio iiii militum de Waletone xxiii li. et ix s. et iiii d. de clxxvi diebus. . . . Et ii servientibus de clxxvi diebus xxix sol. et iiii d.* Here again the *miles* gets 8d., the *serviens* 1d. a day. It is needless to multiply instances, but it may be added that similar calculations show the sailors of Richard's crusading fleet to have received 2d. and their boatswains 4d. a day.

It is, perhaps, possible to trace a complete change of policy in this matter by the crown. The Conqueror, we may gather from divers hints, was anxious to push forward the process of subinfeudation, that as many knights as possible might be actually available for service. As the chief danger lay, at first, in the prospect of English revolt, it was clearly his policy to strengthen to the utmost that 'Norman garrison,' as we may term it, which the feudal system enabled him to quarter on the conquered land.¹⁹ But as the two races slowly coalesced, the nature of the danger changed: it was no longer a question of Norman *versus* Englishman, but of danger to the crown from war abroad and feudal revolt at home. Thenceforth its policy would be no longer to encourage personal service, but rather payment in lieu thereof, which would provide the means of hiring mercenaries, a more trustworthy and useful force. Clearly the accession of the Angevin house would, and did, give to this new policy a great impetus.

The first levy to which the rolls bear witness is that of 1156. As this was only raised from the *church* fiefs, Henry II was, as yet, confining himself strictly to the precedent set him, as we know, in his grandfather's reign. This levy was at the rate of *one pound* on the fee, and was made on the old assessment (*servitium debitum*).

I have already shown that the levy in question was not, as alleged, an innovation. Dr. Stubbs writes: 'The peculiar measure of the second year was the collection of scutage from the knights' fees holding of ecclesiastical superiors,²⁰ a measure which met with much opposition from Archbishop Theobald at the time;' ²¹ and

¹⁹ Compare Will. Pict.: *Custodes in castellis strenuos viros collocavit ex Gallis traductos, quorum fidei pariter ac virtuti credebatur, cum multitudine peditum et equitum, ipsis opulenta beneficia distribuit, &c.*

²⁰ Should not this rather be 'from ecclesiastical tenants-in-chief holding by military service'? For it was neither collected from knights' fees, nor with reference to their existing number.

²¹ Preface to *Gesta Henrici Regis*, ii. xciv. So too *Const. Hist.* i. 454. 'The practice was, as we learn from John of Salisbury, opposed by Archbishop Theobald;' and (i. 577) 'Archbishop Theobald had denounced the scutage of 1156;' and (*Early*

speaking of William of Newburgh, he suggests that 'possibly in William's estimation the consent of St. Thomas took from the scutage on church fees its sacrilegious character.'²² But if the institution was fully recognised under Henry I, how was it 'sacrilegious'? Theobald's 'opposition' in 1156 can only be inferred from the king's reply explaining the necessity for the levy,²³ and was clearly directed, not against the principle, but by way of appeal against the necessity in that instance. Miss Norgate holds that 'no resentment seems to have been provoked by the measure,' although she sees in it 'the origin of the great institution of scutage.'²⁴ Then there is the question of the object for which the levy was made. Swereford says *pro exercitu Wallie*,²⁵ and this misled, through Madox, Dr. Stubbs (who wrote, 'The scutage of 1156 was also for the war in Wales'²⁶) and Gneist.²⁷ The former writer, however, has elsewhere²⁸ pointed out that 'its object was to enable Henry to make war on his brother;' and Miss Norgate gives the same explanation.²⁹ Swereford's error, I believe, can undoubtedly be traced to an entry on the pipe-roll of the 3rd year (1157) recording the payment by the abbot of Abbotsbury of two mares *de exercitu Walie*.³⁰ But this must refer to the Welsh campaign of that year, not to the foreign trouble of the year before.³¹

The next levy was 'the scutage of Toulouse' in 1159. This, 'the great scutage' of Miss Norgate,³² is, strange as it may seem, on the pipe-roll itself almost uniformly styled not a scutage, but a *donum*.

The explanation given by Swereford is wholly inadequate, and is this: *Intitulaturque illud scutagium De Dono ea quidem, ut credo, ratione quod non solum prelati qui tenentur ad servitia militaria*

Plant. p. 54) 'he made the bishops, notwithstanding strong objections from Archbishop Theobald, pay scutage.'

²² Preface to *Gesta Henrici Regis*, ii. xeviii.

²³ *Honori et utilitati ecclesiae tota mentis intentione studiosius invigilabit. Verum interim,* &c. John of Salisbury, Ep. cxxviii. Note that *ecclesiae* is the church at large, not the see of Canterbury.

²⁴ *Angevin Kings*, i. 443.

²⁵ *Red Book*, p. 6.

²⁶ Preface to *Gesta Henrici Regis*, ii. xcv.

²⁷ *Const. Hist.* i. 164.

²⁸ *Ibid.* i. 454.

²⁹ *Angevin Kings*, i. 458. Both writers quote the passage from John of Salisbury (Ep. cxxviii.) on which this explanation is based.

³⁰ His *servitium debitum* was one knight.

³¹ The force for the Welsh campaign was raised, as we learn from Robert de Monte (*alias* de Torigni), 'by demanding that every three knights should, instead of serving in person, equip one of their number,' as Dr. Stubbs rightly puts it (*Const. Hist.* i. 589), and not, as he elsewhere writes (preface to *Gesta Henrici Regis*, ii. xciv), by requiring every two to add to themselves a third, 'by which means, if we are to understand it literally, 90,000 knights would appear from 60,000 knights' fees.' The real number would probably be under 2,000.

³² 'This impost which afterwards came to be known in English history as the "Great Scutage"' (*Angevin Kings*, i. 459).

*sed etiam alii abbates, utpote de Bello et de Salopesbiria et alii tunc temporis dederunt auxilium.*³³

Miss Norgate, adopting this explanation, writes:—

The reason doubtless is that they were assessed, as the historians tell us, and as the roll itself shows, not only upon those estates from which services of the shield were explicitly due, but also upon all lands held in chief of the crown, and all church lands without distinction of tenure; the basis of assessment in all cases being the knight's fee, in its secondary sense of a parcel of land worth twenty pounds a year. Whatever the laity might think of this arrangement, the indignation of the clergy was bitter and deep. The wrong inflicted on them by the scutage of 1156 was as nothing compared with this, which set at naught all ancient precedents of ecclesiastical immunity, and actually wrung from the church lands even more than from the lay fiefs.³⁴

I am obliged to quote the passage *in extenso*, because, in this case, the accomplished writer betrays a singular confusion of ideas, and misrepresents not only the levy, but also the point at issue. The whole passage is conceived in error, error the more strange because Miss Norgate enjoyed, over her predecessors, the advantage of writing with the printed roll before her. The lay estates were not, as implied ('all lands held in chief of the crown'), in any way exceptionally assessed: in no case was the basis of assessment the unit alleged by the writer; and as to the 'church lands,' a reference to the roll will show that all over England there were only eight cases in which those not owing 'services of the shield' contributed (and that in no way as an assessment on imaginary knights' fees) to this levy, while in six out of the eight their contributions were so insignificant that their collective amount barely exceeded 50*l.*³⁵

The true explanation is probably to be found in the fact that only a portion of the tax was raised by way of scutage. As this great levy has been wrongly supposed to have consisted of a scutage alone,³⁶ and as it played an important part in the development of direct taxation, I propose to set forth, for the first time, the various methods by which the money was raised. These were eight in number:—

I. (FIXED.) A *donum* of two marcs on the fee from the under tenants of the church, raised *by fiefs* on the old assessment (*servitium debitum*).

II. (FIXED ?) A *donum* of (it is said) two marcs on the fee from the under-tenants of the lay barons, raised partly *by counties* and partly *by fiefs*.

³³ *Liber Rubeus*, p. 6.

³⁴ *Angevin Kings*, i. 461.

³⁵ The abbots of Shrewsbury, Thorney, and Croyland; the abbesses of Barking, Winchester, and Romsey. The total of their *dona* amounted to 51*l.* 13*s.* 4*d.*

³⁶ Not, however, by Dr. Stubbs (Preface to *Gesta Henrici Regis*, ii. xciv–xcvi).

III. (ARBITRARY.) A *donum* from the church tenants-in-chief themselves, irrespective of their fees.

IV. (ARBITRARY.) A *donum* from some of the non-feudal religious houses (tenants *in elemosina*, and not by military service).

V. (ARBITRARY.) A *donum* from the towns.

VI. (ARBITRARY.) A *donum* from the sheriffs.

VII. (ARBITRARY.) A *donum* from the Jewries.

VIII. (ARBITRARY.) A *donum* from the moneyers.

Of these, the *first* was strictly regular, being merely a repetition of the scutage of 1156, at the rate of two marcs instead of twenty shillings. The *second* presents some difficulty. Subject to correction there are some fifteen cases in which the payment is made separately by fiefs, and in which the rate is clearly two marcs, while there are twenty-two in which the *milites* of the county pay as a group through the sheriff, and in which, therefore, we cannot actually test the rate of the levy or the manner of raising it. Swereford's *ipse dixit* as to the rate in these latter cases was probably based on analogy, here our only guide.

With the *third* and *fourth* divisions we return to sure ground. To them I invite particular attention, because it is to them (and especially to the third) that apply the complaints of the church chroniclers, and not (as has always, but erroneously, been supposed) to the perfectly legitimate levy of two marcs on the fee. It is necessary to emphasise the fact that the matter has been wholly misunderstood. The bitter complaint of John of Salisbury that Henry, *omnibus (contra antiquum morem et debitam libertatem) indixit ecclesiis ut pro arbitrio ejus satraparum suorum conferrent in censum*, would have been without meaning had it referred (as alleged) to the latter levy (or even to the insignificant sums contributed *ut supra* by eight foundations); but when we learn that, over and above this legitimate levy, a far larger sum was arbitrarily wrung from the church, the truth and justice of the protest are at once made evident. I here give two tables illustrative of this exaction. Each is divided into three columns. In the first column

Sees	Knights due	<i>Donum</i> of Knights (in marcs)	<i>Donum</i> of Tenant (in marcs)
Winchester	60	120	500
Lincoln	60	120	500
Worcester	60	120	200
Norwich	40	80	200
Bath	20	40	500
London	20	40	200
Exeter	17½	35	150
Chester	15	30	100
Durham	10	20	500
York	7	14	500
Total	—	619	3,350

Religious Houses	Knights due	<i>Donum</i> of Knights (in marcs)	<i>Donum</i> of Tenant (in marcs)
Peterborough	60	120	100
St. Edmund's	40	80	200
Glastonbury	40	80	—
Abingdon	30	60	60
Hyde	20	40	150
St. Augustine's	15	30	220
St. Alban's	6	12	100
Evesham	5	10	60
Wilton	5	10	20
Ramsey	4	8	60
St. Benet of Hulme	3	6	30
Pershore	3	—	7½
Chertsey	3	6	60
Cerne	3	6	—
Winchcombe	2	4	7½
Middleton	2	4	10
Sherburne	2	4	—
Abbotsbury	1	2	7½
Total	—	482	1,092½

I give the number of the knights due from each bishopric and each religious house. In the second column I give the marcs due, and paid on this occasion, on the old assessment (*servitium debitum*). In the third will be found the exaction complained of, namely, the *dona* extorted from the spiritual 'barons' themselves.

We thus obtain a grand total of 1,101 marcs raised from the church by legitimate scutage, and 4,442½ (or, adding the *dona* from non-feudal houses, 4,700) marcs by special imposition.³⁷ This distinction at once explains the real extortion of which churchmen complained; ³⁸ and shows that it had nothing to do with scutage, but was a special imposition on the church fees from which the lay ones were exempt.³⁹ The idea of the impost was not improbably the adjustment of inequalities in cases where the knight-service was a quite inadequate assessment; the precedent created was not forgotten, and it proved in later days a welcome source of revenue.

The discovery of this exaction identifies, it will be seen, in spite of Swereford's error, the levy accounted for on the roll with the famous 'scutage of Toulouse.'

As to the scutage on the lay fiefs, the general impression, broadly speaking, is that Henry replaced his English feudal host

³⁷ Dr. Stubbs, independently, reckons the total payments of the church at 3,700*l*. (*Gesta Henrici Regis*), which does not differ greatly from the above calculation (3,867*l*. 6*s*. 8*d*.).

³⁸ *Ille quidem gladius quem in sancte matris ecclesie viscera vestra paulo ante manus immererat cum ad trajiciendum in Tolosam exercitum tot ipsam marcarum millibus aporiastis*. Gilbert Foliot (Ep. exciv.).

³⁹ *Nec permisit ut ecclesie saltem proceribus coequarentur in hac contributione vel magis exactione tam indebita quam injusta*. John of Salisbury (Ep. cxlv.). Swereford, though confused in his account of the tax, points out that levy was made *non solum super praelatos, verum tam super ipsos, quam super milites suos* (L. R. p. 6).

by an army of mercenaries paid from the proceeds of a scutage of two marks per fee on all lands held by military service.⁴⁰ But is that impression confirmed by the evidence of the rolls? Without setting forth the evidence in detail, I may sum it up as amounting to this: that the grouped payments found under twenty-two counties⁴¹ present, I think, a total of 1,895 mares, while those of the fiefs which paid separately amounted to 666. This gives us a grand total of 2,561 mares, representing, of course, 1,280 knights. Now although the amount of knight-service due to the crown from its English realm has been, as we shall see, absurdly exaggerated, the above number, I need scarcely say, must represent a minority of the knights due from the lay fiefs. This sets the matter in quite another aspect. In spite of the passage in Robert de Monte, on which the accepted view is based,⁴² the roll presents proof to the contrary, and indeed the words of Robert show that he knew so little of the levy in England as to believe that it was wholly arbitrary. There are, perhaps, indications that the fiefs which, on this occasion, paid scutage, were largely those in the king's hands,⁴³ and if we add to these the escheated honours, of which the scutage would be paid through the sheriffs, we must conclude that the great bulk of the tenants who had a choice in the matter, served abroad with their contingents and did not pay scutage.

Before taking leave of 'the great scutage,' another point demands notice. Gervase of Canterbury sets forth its proceeds in terms of great precision:—

Hoc anno rex Henricus scotagium sive scutagium de Anglia accepit, ejus summa fuit centum millia et quater viginti millia librarum argenti (i. 167).

Quite desperate attempts have been made to reconcile this statement with the actual sums raised. In his preface to the 'Gesta Henrici Regis,' Dr. Stubbs suggests that Gervase included in his total the scutage of two years later (1161), but adds that, if so, the rolls are very incomplete. In his 'Constitutional History' he speaks of 'this [scutage] and a very large accumulation of treasure from other sources, amounting, according to the contemporary

⁴⁰ Gneist, for instance, writes: 'The first general imposition took place in 5 Henry II, for the campaign against Toulouse, with two marks per fee from all crown vassals' (C. H. i. 212).

⁴¹ Entered as *Dona militum comitatus*, not to be confused with the *dona comitatus*, a special levy of the following year (6 H. II), raised, it will be found, from the western counties, from Stafford in the north to Devonshire in the south.

⁴² *Rex . . . nolens vexare agrarios milites . . . sumptis lx solidis Andegavensium in Normannia de feudo uniuscujusque loricae et de reliquis omnibus tam in Normannia quam in Anglia, sive etiam aliis terris suis, secundum hoc quod ei visum fuit, capitales barones suos cum paucis secum duxit, solidarios vero milites innumeros* (p. 202, ed. Howlett).

⁴³ This was certainly the case with the fiefs of Simon de Beauchamp and the Earl Ferrers, two of the most considerable.

writers, to 180,000*l.*' (i. 457), but admits, in a footnote, that 'the sum is impossible,' and throws out as probable a different explanation. Miss Norgate writes that 'the proceeds, with those of a similar tax levied upon Henry's other dominions, amounted to some 180,000*l.*'⁴⁴ But Gervase distinctly states that this sum was raised *from England*. Now the actual sum raised, *by scutage*, in England (1159) was 2,440*l.* in all, as I reckon it, while the special clerical impost produced some 3,130*l.* in addition. Consequently no ingenuity can save the credit of Gervase. He was not, after all, worse than his fellows. We shall find that when medieval chroniclers endeavour to foist on us these absurd sums, they require much bolder handling than they have ever yet received.

Pass we now to the *third* levy, that of 1161. For this the rate was again *two marcs* on the fee according to Swereford (followed, of course, by subsequent writers), though the study of the roll (7 Henry II) reveals that in many cases, on the lay fiefs at least, the rate was *one marc*. Both this and the levy of the following year are most difficult to deal with in every way. We have seen that an entry on the roll of 1163 led Swereford to believe that the levy of 1161 was made for the Toulouse campaign, and Dr. Stubbs has made the suggestion that it might have been raised to defray 'debts' incurred on that occasion;⁴⁵ but the difficulties in the way of accepting this view seem insuperable.⁴⁶

The *fourth* levy, which is that of 1162 (8 Henry II), was at the rate of *one marc*, and is recorded by Swereford, but not by Dr. Stubbs.⁴⁷ Though richer in names than that of 1161, it is even less useful for our purpose, as the sums entered are most irregular, perhaps owing to the adoption of a new method of collection.⁴⁸ Neither of these levies affords, in the absence of corroboration, trustworthy evidence on the *servitium* of any lay fief.

The *fifth* levy, on the other hand, in 1165 (11 Henry II), affords most valuable evidence, although it is ignored by Swereford and by those who have followed him. It is, however, of a singular character. The money was raised, we gather from the roll, on two different systems:—

⁴⁴ *Angevin Kings*, i. 462.

⁴⁵ 'A second scutage was raised in the seventh year, probably for payment of debts incurred for the same war, the assessment being in this, as in the former case, two marks to the knight's fee' (Preface to *Gesta Henrici Regis*, p. xev).

⁴⁶ If it was raised for this purpose, it must have been levied either (1) from *all* tenants-in-chief, which it certainly was not; or (2) from the *same* contributors as in 1159, which a comparison of the two rolls will at once show it was not; or (3) from a *new* set of contributors, which was also not the case, for the prelates, the Ferrers fief &c., are found contributing as before.

⁴⁷ *Const. Hist.* i. 582.

⁴⁸ Instead of a fief paying *en bloc*, it seems to have paid through the sheriffs of the counties in which it was situate.

(I) By a *fixed* payment at the rate of one mark on the fee (old assessment).

(II) By an *arbitrary* payment of certain mysterious sums, which prove to be multiples of the unit 15s. 3d. But there is no fixed proportion to be traced between the amount paid and the number of *servitia* due. Numerous instances are found of a single knight's fee being charged with a sum equivalent to five of these mysterious units. Magnates, again, are found paying apparently strange sums, which prove on dissection to represent 50, 100, 200, and even 300 of these units. The clue to the mystery is found in an entry on the pipe-roll of the following year (12 Henry II), which proves that this unit was the pecuniary equivalent of a *serviens*, and that the various payers had 'promised' the king so many *servientes* for the war in Wales.⁴⁹ Such 'promises' were evidently offers, made independently of the actual service due from the 'promising' party. Following up this clue, we see that the abbot of Abingdon must, like the bishop of Hereford, have promised 100 'serjeants,'⁵⁰ that the abbot of St. Alban's must have done likewise,⁵¹ while the bishop of London must have promised 150, *in addition*, be it noted, to paying a scutage of a mark on each knight's fee (20) of his *servitium debitum*.⁵² For the rolls of 1162 and 1163 prove that he had duly paid the scutage of the former year, and that this was a further payment. The varying form of these entries should be observed, for it was evidently quite immaterial to the clerks whether they wrote '5 serjeants' or their equivalent—76 shillings and 3 pence.⁵³ Taking the pay of the *serviens* at 1d. a day, the unit in question would represent six months' pay (for a year of 366 days).

But, for our present purpose, we must confine ourselves to the scutage proper. The passage on which I would specially dwell is the entry on the roll in which the *custos* of the archbishopric of Canterbury *reddit compotum de cxiiv li. de Militibus de Archiepiscopatu de ii Exercitibus* (p. 109).⁵⁴ In the first place, we have here, surely, witness to the *two* Welsh campaigns of this year, which Mr. Eyton adopts, following Mr. Bridgeman,⁵⁵ but which Miss Norgate

⁴⁹ *Episcopus de Heref' reddit compotum de lxxvi libris et v solidis de promiss[i]one c Servientium de Wal'* (p. 84).

⁵⁰ *Abbas de Abendonat reddit compotum de lxxvi libris et v solidis de promissione servientium in Waliam* (rot. 11, Hen. II, p. 74).

⁵¹ *Abbas de Sancto Albano reddit compotum de lxxvi libris et v solidis de Exercitu* (ib. p. 19).

⁵² *Episcopus Lond' reddit compotum de xiii libris et vi sol. et viii den. de Servizio militum. . . . Idem reddit compotum de cxiiv marcis et v sol. de promissione servientium Walie* (ib. p. 19).

⁵³ *Willelmus de Siffrewast reddit compotum de lxxvi sol. et iii den. . . . Hugo de Bochelandat reddit compotum de v servientibus* (ib. p. 75).

⁵⁴ *Scutagium de ii exercitibus* in next roll (rot. 12 Hen. II).

⁵⁵ *Itinerary of Henry II*, p. 79 et seq. Compare also the payment from the Giffard fief *de secundo exercitu* (p. 25).

rejects.⁵⁶ Secondly, this sum resolves itself, on analysis, into two constituents of $84\frac{3}{4}$ marcs each. Now the return for the archbishopric the following year is: *Archiepiscopus habet iiij^{xx} et iiij^{ov} et dimidium et quartam partem feffatos*.⁵⁷ Having set forth this exact corroboration, I will briefly trace the *servitium* of the see. In 1156 and 1159, it pays no scutage when the other church fiefs do, but within six months of Theobald's death it pays to the scutage of 1161 on a *servitium* of 60 knights, being then in the hands of the crown. Under Becket, in 1162, it is once more omitted; but in 1165 it again pays, as we have seen, and now not on 60 knights but on $84\frac{3}{4}$. In 1168 it contributes, on the same amount, to the *auxilium*, and in 1172, but the latter year is the first in which the *recognoscit* formula is employed, enabling us to determine that, as in 1161, the *servitium debitum* was 60 knights.

The typical difference between these 60 knights and the $84\frac{3}{4}$ actually enfeoffed will serve to illustrate the point on which I insist throughout. Had the fee been held by its tenant, he would have raised $84\frac{3}{4}$ marcs, paid 60 to the crown, and kept $24\frac{3}{4}$ for himself.⁵⁸ But when a *custos* held the fief, he could keep nothing back, and therefore paid over the whole. We have, I think, an illustration of the same kind in the payment (p. 437, note 74) by the *custos* of the Romare fief, *de noviter feffatis* (*noviter*, be it observed, not yet *de novo*).

Having brought the levies down to 1165, I hope it has now been made clear that the officials of the exchequer were well aware of the amount of *servitium debitum* from every fief, the levies being always based on the said amount. Swereford, therefore, was quite mistaken in the inference he drew from the inquest of 1166:⁵⁹ indeed, his words prove that he completely misunderstood the problem.

This was the last levy raised previous to the making of the returns (*cartae*) in 1166. These returns were followed, in 1168, by the first levy on the new assessment. I have already dealt with the changes which this new assessment involved, but I would here again insist upon the fact that the church and the lay fiefs were not dealt with alike, the latter being assessed wholly *de novo*, while the former retained their old assessments, while accounting separately, and under protest, for the fees in excess of their *servitium debitum*. So far as the lay fiefs were concerned, their *servitia*, con-

⁵⁶ *Angevin Kings*, ii. 180, note.

⁵⁷ *Liber Rubeus*, p. 193.

⁵⁸ The inquest of 1163 would have ascertained the actual number of the archbishop's knights and their fees.

⁵⁹ *Ignorasse quidem haec [debita] servitia militaria Regis . . . successores subsequentium argumento non immerito potuit dubitare: quia cum Rex Henricus . . . traderet, a quolibet sui regni milite marcam unam . . . exegit, publico praecipiens edicto quod quilibet praelatus et baro quot milites de eo tenerent in capite publicis suis instrumentis significarent* (*Liber Rubeus*, p. 4).

genital with Norman rule, were now swept away. Here, from the single county of Northumberland, are three cases in point.

1162

De scutagio Walteri de Bolebec.
In thesauro v marcae.⁶⁰

De scutagio Stephani de Bulemer. In thesauro v marcae.

De scutagio Radulfi de Wircestria. In thesauro i marca.⁶¹

1168

Walterus de Bolebec redd. comp. de iiii marcis et dim. de eodem auxilio.

Idem debet xlviii s. et v d. pro tribus Militibus et ii^{abus} terciis partibus Mil. de Novo feffamento.

Stephanus de Bulemer redd. comp. de iiii marcis de eodem auxilio.

Idem debet xxiii s. et iiii d. de i milite et dim. et quarta parte Mil. de Novo feffamento.

Radulfus de Wigornio redd. comp. de i marca de eodem auxilio pro i milite.

Idem debet xiii s. de dim. Mil. et de i tercia et de i septima parte Mil. de Novo feffamento.

The change thus made by the restless king was permanent in its effect, and thenceforth the only assessment recognised was that based upon the fees, which, by 1166, had been created *de veteri* and *de novo*.⁶²

Before leaving the subject of this levy, there is one point on which I would touch. When we find, as we often do, that the sum paid in 1168 in respect of a fief does not tally with the number of fees recorded in the *carta*, we must remember that in the *Liber Niger* and *Liber Rubeus* we have not the original *cartae*, but only transcripts liable to clerical error. Checking the *cartae* by these payments, we constantly find cases in which the number of fees should be slightly greater than is recorded in the *carta*.⁶³ I suspect that the transcriber, in these cases, has omitted entries in the original *carta*, and this suspicion is strongly confirmed by the fact

⁶⁰ *De hoc predicto feodo debet Regi v milites (Carta).*

⁶¹ *Teneo de vobis . . . feodum i militis, unde debeo vobis facere servitium i militis (Carta).*

⁶² It must always be remembered that, as explained above, in cases where the requisite number of knights had not been enfeoffed by 1166, the balance *de dominio* was added to those actually created, as *de veteri* together.

⁶³ Thus Daniel de Crevequer pays on one fee (*de veteri*) more than his *carta* records, William de Tracy on half a fee (*de veteri*), Adam de Port on one, the earl of Gloucester on two, the earl of Warwick on two and a half, Maurice de Craon on one, the abbot of Hulme on a quarter of a fee, William de Albini (Pincerna) on one, Henry de Lacy on one and a half, William de Vesey on one, Bertram de Bulemer on a half, and William Paynell on one (these figures are all subject to correction). The case of William de Vesey is specially conspicuous, because the nineteen fees enumerated are distinctly spoken of as twenty.

that where the original return enables us to test the transcript, we find in the great *carta* for the honour of Clare that the original transcriber has omitted half a fee of William de Hastings, has left out altogether the entry 'Reginaldus de Cruce, *dimidium militem*,' and has changed the quarter fee of Geoffrey fitz Piers into half a fee; while in that of the bishop of Chichester, Robert de Denton's half fee is converted into a whole one. The (Red Book) transcriber of the original transcript has made a further omission.

Another source of discrepancy may be found in the dangerous resemblance of formulae. Thus the *carta* of Ranulf fitz Walter records three and three-quarter fees duly accounted for. Yet his payment in 1168 is not 2*l.* 10*s.* but 2*l.* 4*s.* 5*d.* The explanation is that the holding was really three and one-third fees,⁶⁴ but the transcriber read 'iij[*] pars' (one-third) as 'iij partes' (three-quarters).

How easily such errors arose may be seen in the elaborate entries on Simon de Beauchamp's fief. Here the formula *decem denarios quando Rex accipit marcam de milite*, correctly reproduced in the Black Book, becomes *x denarius*, &c., in the Red Book. The former expression means 'tenpence in the marc' (i.e. one-sixteenth of a fee); whereas the latter is equivalent to 'the tenth penny in the marc' (i.e. one-tenth of a fee), and upsets the whole reckoning. The correct formula is a not uncommon one, and should be compared with the *de xx solidis viii denarios* (eightpence in the pound) which is given as the holding of two knights of the honour of Clare, and represents the thirtieth of a fee.⁶⁵

Lastly, I think that, on further examination, there are three fiefs of which the *servitia debita*, though at first sight irregular,⁶⁶ may fairly be brought into line as multiples of the *constabularia*. That of Bohun, though implied by the *carta* to be thirty and a half knights, paid in the fifth and eighth years on exactly thirty; that of Malet, though similarly given as twenty and one-sixth in the *carta*, is returned in the *Testa de Nevill* as exactly twenty;⁶⁷ that of Beauchamp of Hacche, though distinctly given as seventeen in the *carta*, will be found, on careful collation of the rolls for 7 and 8 Hen. II, to be claimed by the exchequer as 17 + 3, i.e. 20.

Here also, perhaps, it may be allowable to glance at the foreign parallels to fiefs of sixty fees and smaller multiples of five. There is a charter of Charles the Fair (1322-8) *qua Alphonsus de Hispania 'Baronem et Ricum Hominem' Navarrae creat; et, ut*

⁶⁴ This brings it into relation with the *Constabularia*, of which it thus formed just a third.

⁶⁵ The same formula is found in Domesday applied to hidation in East Anglia, where the assessment of manors is expressed not in terms of the hide, but in fractions of the pound.

⁶⁶ *Vide supra*, p. 439.

⁶⁷ *Wilhelmus Malet tenet Cari de Domino Rege et alias terras suas per servicium viginti militum* (p. 163).

*Baronis et Rici Hominis statum manu tenere possit, eidem de gratia speciali 60 militias [knight's fees] in regno suo Navarrae concedit modo consueto tenendos et possidendos,*⁶⁸ while an edict of earlier date proclaims:—*De Vasvassore [i.e. baron] qui quinque milites habet, per mortem [? pro morte] ejus, emendetur 60 unciae auri cocti, et per plagam [? pro plaga] 30, et si plures habuerit milites, crescat compositio sicut numerus militum.*⁶⁹

IV. *The Total Number of Knights due.*

*Ad hoc sollicitius animum direxi ut per regna Angliae debita Regi servitia militaria quatinus potui plenissime percunctarer.*⁷⁰ So writes Swereford, who proceeds to explain that neither the famous Bishop Nigel himself, nor his successor, Bishop Richard, nor even William Longchamp, had left any certain information on the subject; while he (Swereford) could not accept the common belief that the Conqueror had created *servitia* of knights to the amount of 32,000.⁷¹ The cause of his failure is found in the fact that he confused two different things: (1) the *debita Regi servitia*, which formed the only assessment of fiefs down to 1166; (2) the assessment based on the *cartae* of 1166, which superseded the *debita servitia*, and is not evidence of their amount.⁷² But then, as I have already explained above, the exchequer official was concerned only with the actual claims of the crown; for him the original 'service due' had a merely academic interest.

There are two estimates for the total of which we are in search. One is 32,000 knights; the other 60,000.

'Stephen Segrave,' Dr. Stubbs reminds us, 'the minister of Henry III, reckoned 32,000 as the number' (which confirms Swereford's statement), but he himself wisely declines to hazard 'a conjectural estimate,'⁷³ adding that 'the official computation on which the scutage was levied, reckoned in the middle of the 13th century 32,000 knights' fees, but the amount of money actually raised by Henry II on this account, in any single year, was very far from commensurate.' Gneist repeats this figure, but holds that 'as far as we may conjecture by reference to later statements, the number of shields may be fixed at about 30,000.'⁷⁴

⁶⁸ Ducange (1887), ii. 581.

⁶⁹ *Ib.* viii. 255. Ducange indeed asserts that five knights was the qualification in Normandy for barony, but the statement is based on a mistaken rendering and is elsewhere disproved.

⁷⁰ *Liber Rubens*, p. 4.

⁷¹ *Illud commune verbum, in ore singulorum tunc temporis divulgatum, fatuum reputans et mirabile, quod in regni conquisitione Dux Normannorum, Rex Willelmus servitia xxxii^m militum infeodavit (ib.).*

⁷² Swereford, it is clear, failed to grasp the great change of assessment in 1166.

⁷³ *Const. Hist.* i. 432.

⁷⁴ *Ibid.* i. 157. Dr. Stubbs rightly rejects Mr. Pearson's 'conjecture that the

On the wondrous estimate of 60,000 I have more to say. Started by Ordericus,⁷⁵ this venerable fable has been handed down by Higden and others, till in the 'Short History of the English People' it has attained a world-wide circulation.⁷⁶ Dr. Stubbs has rightly dismissed the statement 'as one of the many numerical exaggerations of the early historians;' ⁷⁷ but neither he nor any other writer has detected, so far as I know, the peculiar interest of the sum. What that interest is will be seen at once when I say that Ordericus, who asserts that the Conqueror had so apportioned the knight-service *ut Angliæ regnum lx millia militum indesinenter haberet* (iv. 7), also alleges that the number present at the famous Salisbury assembly (1086) was 60,000. It is very instructive to compare this 'body whose numbers were handed down by tradition as no less than sixty thousand,' ⁷⁸ with the 'sixty thousand horsemen' ⁷⁹—*ut ferunt sexaginta millia equitum*—of thirteen years earlier, and with the number of the Norman invaders, 'commonly given at sixty thousand,' ⁸⁰ of seven years earlier still. It is Ordericus, too, who states that the treasure in Normandy at the death of Henry I was 60,000*l*. Pursuing the subject, we learn from Giraldus that the Conqueror's annual income was 60,000 marcs.⁸¹ Fantosme speaks of marshalled knights as

Meins de seisante mile, e plus de seisante treis,

and the author of the Anglo-Norman poem on the conquest of Ireland gives the strength of the Irish host, in 1171, as 60,000 men. Even 'Sir Bevis,' if I remember right, slew in the streets of London 60,000 men; and Fitz Stephen asserts that, in Stephen's reign, London was able to turn out 60,000 foot.⁸² It may, also, not be without significance that 60,000 Moors are said to have been slain at Navas de Tolosa, and that William of Sicily was said to have bequeathed to Henry II three distinct sums of 60,000 each.⁸³

The fact is that 'sixty thousand' was a favourite phrase for a great number, and that 'sixty' was used in this sense just as the number of 32,000 applied to the hides, and that the number of knights' fees, calculated at five hides each, would be 6,400.²

⁷⁵ *His temporibus militiam Anglici regni Rex Willelmus conscribi fecit et lx millia militum invenit, quos omnes, dum necesse esset, paratos esse praecepit.*

⁷⁶ 'A whole army was by this means encamped upon the soil, and the king's summons could at any moment gather sixty thousand knights to the royal standard.'

⁷⁷ *Const. Hist.* i. 264. Compare pp. 431-2.

⁷⁸ Freeman (*Norm. Cong.* iv. 694).

⁷⁹ *Ib.* iv. 562.

⁸⁰ *Ib.* iii. 387.

⁸¹ *Annui fiscales redditus . . . ad sexaginta millia marcarum summam implebant.*

⁸² *Sexaginta millia peditum* (p. 4).

⁸³ *Sexaginta millia silinas de frumento, sexaginta millia de hordeo, sexaginta millia de vino* (Richard of Devizes, ed. Howlett, p. 396).

Romans⁸⁴ had used it in classical times and just as Russian peasants (I think I have read) use it to this day. The 'twice six hundred thousand men,' who were burning to fight for England,⁸⁵ and the 180,000*l.* (60000 $\times$ 3) of Gervase (1159), are traceable, doubtless, to the same source.

How strangely different from these wild figures are the sober facts of the case! The whole of the church fiefs, as we have seen, were only liable to find 784 knights, a number which, small as it was, just exceeded the entire knight-service of Normandy as returned in 1171. As to the lay fiefs it is not possible to speak with equal confidence. I have ventured to fix the approximate *quota* of 104 (more or less), of which 92 are in favour of my theory: 48 fiefs, of five knights and upwards, remain undetermined.⁸⁶ If the average of knights to a fief were the same in the latter as in the former class, the total contingents of the lay barons would amount, apparently, to 3,534 knights; but, as the latter one includes such enormous fiefs as those of Gloucester and of Clare, with such important honours as those of Peverel and Eye, we must increase our estimate accordingly, and must also make allowance for fiefs omitted and for those owing less than five knights (which are comparatively unimportant).

Making, therefore, every allowance, we shall probably be safe in saying that the whole *servitium debitum*, clerical and lay, of England can scarcely have exceeded, if indeed it reached, 5,000 knights.

Indefinite though such a result may seem, it is worth obtaining for the startling contrast which it presents to the 60,000 of Ordericus, to the 32,000 of Segrave,⁸⁷ and to the 30,000 of Gneist. The only writer, so far as I know, who has approximated, by investigating for himself, the true facts of the case, is Mr. Pearson;⁸⁸ but his calculations, I fear, are vitiated by the unfortunate guess that the alleged 32,000 fees were really 6,400 of 5 hides each. It is a hopeless undertaking to reconcile the facts with the wild figures of medieval historians by resorting to the ingenious devices of apocalyptic interpretation.

J. H. ROUND.

⁸⁴ *Sexaginta accipitur indefinite de magno numero. Sexcenti saepe usurpatur pro numero ingenti et indefinito* (Forcellini, *Totius Latinitatis Lexicon*).

⁸⁵ *Bis sex sibi millia centum* (*Carmen de bello Hastingsensi*).

⁸⁶ It must be clearly understood that these figures cannot be absolutely accurate. Some honours are omitted, it seems, in the returns from which we have to work, and for these allowance must be made.

⁸⁷ [1235] *Sicut Stephanus Segrave . . . asserbat et affirmabat vetus scutagium ad xxxii millia scuta assumabatur et irrotulabatur; et ad tantundem plene et plane potuit novum scutagium de novis terris assumari* (*Ann. Monast. i.* 364).

⁸⁸ 'Nine thousand for all England would be a large estimate at any time in the twelfth century' (*Early and Middle Ages*, i. 375).

The Confraternities of Penitence, their Dramas and their Lamentations

I

IN the middle of the thirteenth century the confraternities of penitence were in full vigour at Perugia. It is impossible to be certain whether they owe their birth to the young Franciscan, later known as St. Anthony of Padua, whose angelic voice and language drew such crowds that no building could contain those who came to hear him, and that merchants, for want of buyers, found it useless to expose their wares when he preached. Yet whatever the truth may have been, there is a strong probability in the tradition which assigns the introduction of that great revival movement, which, commencing in Italy, spread over France, Germany, Spain, and many parts of England, to a preacher of influence so marvellous that his audiences secured their places overnight, and, when at last the time for hearing him arrived, were so moved by his calls to repentance that their sobs of contrition would often drown his voice.

The 'Studio' of Padua also (to use the name by which that university was known) was founded in 1207, not twenty years before St. Anthony's appearance, and must have helped to spread abroad the influence of his preaching.

Italy was at that time torn to pieces by the foreigner as well as by internal dissensions. Pope and emperor were struggling for the mastery, and the people sometimes beheld with amazement the victory of the Ghibellines under the anathema of the church over the Guelphs who were in the enjoyment of her favour. Powerful nobles joining one side or the other committed terrible cruelties on all who ventured to cross their path. Rich communities were distracted with internal faction, and city states, as in the case of Florence and Siena, turned their arms against one another. Seldom did the lower classes both in town and country lead a more helpless existence than at this time. Even the powers of nature seemed leagued against them, floods and famines bringing in their train appalling epidemics by which the peninsula was desolated.

With these depressing influences came the recollection of the

predictions of the abbot Joachim, a Cistercian monk who, towards the end of the preceding century, had declared that the reign of Antichrist would immediately precede the descent of the Holy Ghost in 1260 to abide with man. Under these circumstances, when the present was hard to bear and the future fraught with dread, the city of Perugia received in 1258 an unexpected visit from an aged monk named Raniero Fasano, who, renouncing the life of a recluse, appeared clad in sackcloth with a rope round his waist and a scourge in his hand. He proclaimed in the open streets that he had been chosen by God to call the people to repentance that they might save themselves from the wrath to come. Raniero eloquently enforced the necessity of personal and active repentance by example as well as by preaching. He urged all who would listen to him to implore the divine aid, to mortify the flesh and scourge themselves in memory of the passion of Christ. The people responded with alacrity to the passionate appeals of the old hermit, and very soon a large body of laymen and women joined together, calling themselves 'the disciplinants of Jesus Christ;' going about bewailing their sins, and scourging themselves till the blood ran.

The idea of punishing our bodies for the sins to which they have inclined us, by subjecting them to pain and indignity, in the hope that future penalties will be mitigated, is very ancient. In the west the practice of self-scourging was, however, not very noticeable till the eleventh century, when it was adopted by many ecclesiastics. Peter Damiani, the abbot of Fonte Avillano, known later as cardinal-bishop of Ostia, not only promoted the belief in this power of penitence in his monastery and among his clergy, but encouraged it among the laity. St. Dominick *of the coat of mail*, of the same monastery, went beyond Peter; he flagellated himself not only for his own sins but for the sins of others, according to a scale by which he reckoned that so many stripes inflicted during the recitation of certain psalms were equivalent to the purchase of so many years of grace to sinners in a future state. The mendicant orders embraced this system of mortifying the flesh, the Dominicans as well as the Franciscans adopting it into their rules. From their example all Europe became acquainted with the practice.

St. Anthony of Padua preached to rich and poor, gentle and simple, with magic influence over all. Though we do not know how far the repentance which he enjoined was of a durable character, it is probable that many of his hearers sought to escape from further temptation by entering one or other of the religious orders which were at that time springing up. At Perugia at all events Raniero originated the movement, encouraging the townsfolk and working classes to continue their several callings in the world,

but at the same time to associate themselves in confraternities and companies for the maintenance and improvement of their religious life.

We have from the pen of an eye-witness—a 'Paduan monk' as he describes himself—a description of the rise of this singular movement.

Nobles and plebeians alike, old and young, even children of five years old, walked in procession through the streets of the cities all but naked, each holding in his hand a thonged scourge, with which amidst groans and lamentations they so vigorously lashed their shoulders that the blood ran. With torrents of tears, as if they beheld with their bodily eyes the very passion of the Saviour, they implored the mercy of God and the aid of his Mother, supplicating that their sins might be pardoned as had been those of numberless other penitent sinners. Thus, not only by day but at night, with lighted tapers in the most rigorous winter, by hundreds and thousands, by tens of thousands, they made the round of the churches in the cities, and, preceded by the priests with crosses and banners, humbly prostrated themselves before the altars. The like they did in towns and villages, so that the fields and mountains seemed to ring with the voices of those who cried to the Lord. All musical instruments were silent at that time, and all love ditties were hushed. Only the doleful dirge of the penitents was everywhere heard, and at its piteous strains the most stony heart softened and the driest eyes filled with tears.

Nor were women strangers to such devotion, for not only those of the cities, but also noble matrons and tender virgins, practised the like in their own rooms.

Then all discords were harmonised; the usurers and thieves hastened to restore what had been unjustly seized. Men stained with various crimes acknowledged their misdeeds and changed their ways. The prisons were opened and their inmates set free, while the exile found that he could return home. So great was the active repentance that it spread into countries beyond the limits of Italy. Not only the simple but the wise wondered greatly at what could be the cause of such fervour, especially as this unheard-of form of contrition was not originated by the supreme pontiff nor by the labour of some known preacher, or some other great authority, but was only the work of plain living men.

Muratori, who has preserved this testimony,¹ tells us in his 'Annals,' that feuds between families, towns, and even states, were made up at the instance of the low-born but earnest men who composed the penitent bands. For instance the people of Imola sought their ancient enemies the Bolognese and became friends. Bologna essayed to live in trust and amity with Modena, Modena with Parma and Reggio, Piacenza with Pavia, Genoa with Tortona. In the *Diario del Graziani* a curious example is mentioned of the feeling which had been called forth at the instance of the *disciplinati*. Some years had passed by since the commencement of this movement. We read:—

¹ *Monach. Patav. Chronic. (Rer. Ital. Script. viii. 712).*

1314. The kiss of peace. In the month of August of this year, the commune of Perugia made peace with the commune of Todi in this manner: that the syndic of the latter and the syndic of the former kissed each other on the mouth, the which peace was made at the foot of the campanile of S. Lorenzo, with certain stipulations which are to be seen written in the hall of our commune.²

Passing by Spoleto the confraternities entered the Romagna, overrunning the towns on the way, visiting the churches, and lashing themselves before the altars with many scourges, beseeching God that he would show his mercy, and grant peace to men. More than 20,000 people, singing divine songs, arrived at Modena by the end of October. Taking their rise in a Guelphic city, they found all the Ghibelline states naturally against them, political designs under the cloak of religion being feared. Manfred in the marches and south of the papal states barred their passage, whilst in the north the lords of Cremona, Brescia, Novara, and Milan followed suit. In the latter place the Della Torre, on hearing of the pilgrims' approach are said to have erected six hundred gallows, 'on perceiving which,' says the old chronicle, 'the penitents retired.' Large bands, however, of these religious enthusiasts, gaining Genoa, passed along the western seaboard into Provence. Some braved the Alps, while others later, taking a north-easterly direction, swept along the foot of the mountains past Treviso into Carinthia. Thence Bavaria, Austria, with the provinces lying along the northern slopes of the Alps, Bohemia, and Moravia received the wanderers. Even Hungary and Poland echoed with their singing. Naturally amongst their songs were hymns to the cross, which, carried aloft on their banners, guided them in their pilgrimages. In other songs they stimulated the lukewarm to swell the number of the penitents, or recounted incidents of the passion, in memory of which they were scourging themselves. One instance may be given here.

Devoti.—May shame fall on everyone who will himself the cross not take !
 Sure his heart than stone is harder, if it will not melt or break,
 Seeing that his own He carried, who on it himself was raised.
 Who will be to us a brother, must not be without the cross,
 Mourning o'er his sins committed, with his tears must wash them out.

It may be wondered why Umbria, of all the provinces of Italy, should have been the scene of this singular 'revival' movement. This most picturesque region, with abundance of wood and water, of hill and dale, exhibiting in a very marked way the *allegro* and the *pensieroso* in its scenery, naturally inspired the poet as well as the painter. The highly sensitive and religious nature of this people is peculiarly exemplified in the person of St. Francis, who shortly before the rise of the confraternities had founded his order, which, by the force of example, taught the Christian virtues of love

² *Cronache della Città di Perugia, 1309-1491 (Archivio Storico Italiano, xvi.)*

and humility. To the fervour of his eloquence St. Francis added something new to rouse the religious feelings of the people. This was the *presepio*, exhibiting the scene of the holy family in the stable on the birth of our Lord, with the ox, the ass, and the shepherds, before which, besides the special offices of the church, solemn canticles were sung. It was reserved for the Flagellants to represent the closing scenes of that holy life, the torture and death endured for the sake of man, and thereby to excite feelings of contrition and gratitude. As time went on, their representations became more and more dramatic.

II.

So remarkable was the favour with which this 'revival' movement, inaugurated by the monk Raniero, was received by the people, that, in a very few months after his preaching, organised confraternities with regular statutes and *locales* were to be found in both north and south of Italy. Following the *disciplinati di Gesu Christo* in 1260 at Perugia came the confraternity *del gonfalone* at Rome in the same year, the Passion of Christ being represented by it at a very early date. In Perugia itself they were encouraged by the Cistercians as well as by the orders of Franciscans and Dominicans.

The members of the confraternities, which were first known in Perugia, have received many names. They were known as *flagellanti* and *scopatori*, as self-scourgers; *battuti* and *verberatori* from beating their breasts in contrition; *disciplinati*, the self-subjected ones, and *laudesi* from the nature of their songs. They were best known as *battuti* and *disciplinati*, names which have survived to this day. In 1261 Treviso had a society of *battuti*. According to Avogaro there was a clause in their constitutions that the canons of the Duomo of Treviso were to furnish the society with two ecclesiastics, 'who being instructed in singing can take the parts of Mary and the Angel' at the festival of the annunciation *more solito*, while the brotherhood was to furnish these characters with proper solos. We see by the 'as is usual' mentioned, that such representations were not new to the clergy of Treviso. Modena had its company *della scova* (of the birch), Mantua had one *della morte*, Bologna one *della vita*, Bergamo one *de Santa Croce*. Soon afterwards Siena followed in their steps, though the company at Assisi *di Santo Stefano* was not established till 1375. It is worthy of remark that the dates given are those when the societies were canonically sanctioned; in each case it may be inferred that they had commenced operations some time before.

Taking the hymns of the church as a model, the lay companies offered up their prayers and praises in a poetic form. Rugged and uncouth as these compositions were, they were full of expression,

and displayed how fervently hearts were touched by the religious feelings suddenly awakened in them. Not composed in the closet by cultured men in Latin, they were struck off in enthusiastic moments by laymen, often of humble birth, who avoided a language which had ceased to be generally understood and used that of the people of the neighbourhood. In the development of the representation of their *laude* and *devozioni*, as they were called, the flagellants followed the course taken by the originators of the Greek drama. At first it was usual to have one voice, later another was added to it; the singing was alternate, and then the action and the dialogue were distributed among a larger number of assistants. For a knowledge of the various forms of the *laude*, the rude poems of the confraternities, we are indebted to Signor E. Monaci, who in 1873 discovered, in an old manuscript in the Vallicelliana Library at Rome, these religious poems written in the dialect of Perugia. Further light was thrown on the subject by his comparison of this manuscript with one dated 1374 belonging to the municipality of Perugia, and with another at Assisi, and by the examination of some *laude* dedicated by 'il popolo Perugino' to S. Ercolano, the patron saint of Perugia. The term *lauda* is a very old one. It began in Umbria and fell into disuse even there. At first the *laude* were purely lyric, and as long as those who sang them continued to roam about, it is probable that this form alone prevailed. It would be suitable to use in processions and when the brethren were going through their 'discipline.' Thus we read in the statutes of the *disciplinati* of Siena, 1285, 'When the discipline is being administered the prior must cause to be sung some *lauda* or something else in praise of Jesus Christ;' and the regulations of many other societies contain the same direction. On the companies settling down they would have a more corporate life, regular places of meeting, and compositions of a more dramatic form would then be introduced. In 1485 the *laude come dialogo* are mentioned in a manuscript of the confraternity of S. Domenico at Perugia, showing that dramas in that place went by this title. But soon *laude* returned to the lyric signification, *devozioni* being taken as the term for religious dramas, they being then intimately connected with the ecclesiastical ceremonies, and thus true devotions, acts of piety, not literary productions. Two *devozioni* discovered by Signor Palermo, *Giovedì* and *Venerdì Santo*, bear the date of 1375, but these cannot possibly be the earliest of their kind. They show a marked improvement on the *laude*. The stage directions are all in the vernacular instead of in Latin, and they have lines of eleven syllables instead of the eight-syllable lines of the *laude*, a formation continued to this day from old *laude* times, as in the *Maggi*, the secular songs of Tuscany. While in other countries the mystery has been preceded by the dramatic liturgy, the dramatic *laude* of

the laity seem to have come straight from the scriptures—chiefly in the form of the proper lessons used by the church in her festivals. Another source to which the *laude* are indebted is to be found in the writings of ecclesiastics or of men who had given themselves up to a religious life. Chief of these were certain visions declared by S. Bonaventura in his ‘Meditations’ to have been received in his convent. They were revelations of certain episodes in the life of our Lord on earth which were to throw light on many points in the sacred narrative. The incidents are related in such simple and picturesque language that both poets and painters of the middle ages freely used them as their texts. Thus there arose from these mingled sources, from the hands of laymen and in the language they usually spoke, lyrical compositions which could be sung in unison by all, and which with very little arrangement assumed a dramatic form. These two varieties we meet with in the ordinal which each confraternity on its organisation set up, such as those mentioned as having been discovered in Rome and at Perugia. In the former we see a substitute for the hymns of the church; in the latter, something to take the place of the lessons usually given from the scriptures. The composers of the greater part of the *laude* are unknown. They wrote not for fame, but for the good of their own souls and those of others. Of those who are known, Jacopone da Todi stands out in relief both from his religious poetry and also on account of the touching incident which called forth the poetic fervour latent within him.

Before we touch upon the penitential hymns, or the canticles relating to the sufferings of our Lord and the anguish these caused to his Mother—Jacopo’s chief compositions—it will be well to give a sketch of their author’s life.

Born at Todi, a hill city in Umbria, of a family that was powerful there, he completed his studies by becoming a doctor of laws, following the profession of an advocate—sometimes, perhaps (as the chronicle printed in 1558 puts it) prolonging disputes so as to gain by them. He was proud and fond of money; he had a young and beautiful wife who had been brought up in the fear of God. While going about like other women, appearing outwardly worldly, she lived a truly religious life, giving herself to severe penitential discipline; her companions knew nothing of this—least of all her husband, who, thinking much of wealth and show, desired that she should go about arrayed in fine clothes, jewels, &c. She consented to this because it was his wish, not that it gave her any pleasure. It happened one day that being together with many of her friends at a festa in Todi, decked in all her finery according to Jacopone’s injunctions, while dancing and revelling there befel what was worthy of the greatest compassion. The flooring on which they stood suddenly gave way, and all who were there were precipitated down below and much injured. As for the young wife, she was so much hurt that she only lived a few hours, meanwhile being unable to speak. Jacopone,

who by God's mercy was not present, when he heard the cruel news, ran to the spot.

Seeing her dreadful plight, he wished, as one does in such cases, to unlace her, but she, although speechless, offered resistance to this. But he at last prevailed and carried her home. After her death he undressed her with his own hands and found that under her costly vestments and next her tender skin she wore a hair shirt of the roughest. Jacopo, who had never believed that his wife, being young and handsome, was different from other women vain and worldly, was thunderstruck at seeing his belief completely falsified.

From that day he appeared dazed, and was no more the reasonable creature he had been. The reason of this was no infirmity of body, or the terrible anguish of losing his wife, but a compunction of the heart which was now growing in him, a new insight into himself and his own wretchedness. Wherefore, bitterly remembering all the years which he had so ill spent, and seeing the danger into which he had fallen, he resolved to change his life, and as he had hitherto lived for the world, in future he would live alone for Christ. He began by humbling himself. No longer following his old occupation, he abandoned the law and a brilliant future in the service of his country. He determined to mortify himself and to make atonement for his sins. He began therefore, for the love of God, to distribute all he possessed to the poor. He arrayed himself in the robe of a hermit or pilgrim, and did all he could to humble himself in the eyes of men. He might even be seen in churches on his knees, praying and weeping bitterly for his sins.³

Many of the poems which have been ascribed to Jacopone are not by him, but there are some beautiful compositions which cannot well be ascribed to others. Chief of these is the *Lauda sulla Passione di Christo*, which probably was sung or recited—not acted—in the halls, or what soon came to be called the *oratories* of the confraternities. The scene opens with a messenger appearing before the Virgin. As in the majority of dramas connected with the passion in which John appears, the chief conversation with the Virgin is carried on by the beloved apostle. He cries :—

Lady of paradise, thy son is taken,
Jesus Christ the blessed.

Run, lady, and see
How badly they treat him ;
Sure death may have come,
For they have scourged him full sore.

Mary. Pray how could this be ?
For he ne'er once did harm.
O Christ, my only hope,
How was he taken ?

John. Madonna, he was betrayed.
Judas did sell him,
For thirty pieces sold him,
A right shameful bargain.

³ *I cantici del Beato Jacopone da Todi con la vita sua*, ed. Salviano, Roma, 1558.

Mary calls on Mary Magdalene to accompany her; she will go where her son may be. The messenger tells her that Christ is being taken to Pilate. She appeals to the governor.

O Pilate, do not thus
So ill treat my son,
For I can show thee
He is wrongly accused.

But some of the Jews are present, they lift up their voices.

Jews. Crucify, crucify him.
One that makes himself a king,
According to our laws,
Flies straight 'gainst our rulers.

She beseeches still :

Mary. I pray thee listen to me,
In my grief and pain.
Perhaps thou wilt change
What now's in thy thought.

Pilate. Bring out the two thieves,
Give them as companions;
With thorns shall be crowned
Who claimed a kingdom.

Mary has been thrust aside, the royal prisoner has been removed. She apostrophises her son, 'her counsellor, her loved one.'

Mary. Son with the tender eyes,
Why dost not answer?
Why wilt thou hide thyself
From her who did bear thee?

John points in the distance.

John. Madonna, there is the cross
To which they would draw him,
From which the true Light
Will shine down on the world.

Mary. O cross, what wilt thou do,
Wilt thou seize my son?
Say, wilt thou embrace
Who did ne'er commit sin?

John. O mother, full of misery,
Thy Son they are despoiling,
And the people wilfully
On cross would have him nailed.

Mary. Would strip him of his vestments!
Oh, let me this behold,
So cruelly they've wounded him,
He's covered o'er with blood.

John. Lady, one hand they have laid hold of,
And stretched upon the cross,
With a long nail they've pierced it
And fastened it hard down.
Now the other hand is taken,
In nothing is it spared,
And oh, the pains most terrible
Must increase more and more.
And next the feet they are seizing
To make fast to the tree,
Those joints will part asunder,
Those limbs they will divide.

The Virgin and her companions have arrived at the cross on which Christ is hanging. He is motionless, his eyes are closed; thinking that he is dead, the agonised mother, shocked at the discovery, raises her voice, and commences a torrent of regrets at her son being taken from her. 'Would that they had torn out her heart, rather than for him to have been stretched upon the cross, abandoned!' Recalled to earth by the despairing accents of the well-known voice, our Lord opens his eyes, and with great effort speaks.

O mother, whence art thou come?
As mortal thou dost wound me;
This sore weeping doth disturb me,
With which thou art possest.

Mary asks the cause of their separation. He is her 'father, husband, son; who has wounded and stripped him?'

Jesus. Mother, why complain?
Behold, thou must remain
To comfort those of mine
I've conquered from the world.

Mary. My son, oh say not so,
Together we'll face death,
I will not from thee go
While in me stays some breath.

O son of mother full of woes,
Grant me one tomb may both enclose,
That there the fragments may be found
Of son and mother both opprest.

Jesus. Mother, the afflicted one,
Thou shalt not live alone,
For John, the loved disciple,
Shall be to thee a son.

John, seest thou my mother?
Receive her in charity,
Entreat her full tenderly,
For her heart is pierced through.

And now her Son expires, and Mary resumes the *corotto*, the song of mourning she had begun when she approached the cross.

Son, from whom the spirit's fled,
Son of the guileless one,
The light from me's banished,
My heart is full of woe.

Son, once so white and red,
Son beyond compare,
O son to whom I cling,
Dear heart, thou hast left me.

Son of the golden locks,
Son of the tender gaze,
Ah me, how could the world
Look on thee with scorn?

Son, sweet and pleasing,
Son of the forlorn one,
How could these people
Have done thee such wrong?

John, son newly given,
No more lives thy brother,
Now has entered the sword
Which was once prophesied.

Now are dead son and mother,
With one blow struck down,
And will be found knit together,
Mother and son through the cross.

As it had been predicted that the end of the world was near, the reign of the false Christ which was to precede that of the true one early formed one of the subjects taken for a drama in Italy. It is probable that Ancona is right in ascribing to Jacopone da Todi a composition which appeared at this time; the style is like his, and we know that he looked forward to the end of the world with the greatest apprehension. This *lauda* was to be recited on Advent Sunday. It is written in the Perugian dialect, and unlike the drama of the Passion which contains no stage directions, it has very numerous ones, all in Latin. Only two other instances are known of this subject having been taken for representation; one in the South of Germany, and the other in England, it being one of the collection known as the Chester Plays. Antichrist having been introduced to the people by two kings has boasted of his being the real King of Glory. Enoch and Elias, who had ventured to withstand him and to set the people in the right way, had been destroyed

by him, and he in his turn had been killed by Gabriel with his fiery sword. The angels have come down and shown how hopeless is the state of the sinner when the graves are bid to open, and the dead to rise for judgment. Christ now appears ; he addresses the wicked in simple and musical accents, the Perugian diction adding to the liquidity of the Italian tongue. He tells them that he has long endured the sinners' evil ways, but now their requital has come. He points to the cruel way he has himself been treated. See the wounds still bleeding, borne for their sakes on the cross ; he exhibits the piercing lance and the agonising nails. When betrayed by false Judas and abandoned, at the pillar all night he was beaten.

O guilty one, forbear thy plea,
Accusers still do rise to thee.

Here is the cross all red with blood and the bitter drink raised to him when he thirsted. All this he had endured with the wish to save mankind. But now is the time of reckoning. The just will be on the right, and the wicked on his left hand, and the holy apostles whom the world despised, and who followed him in his poverty, shall sit with him on the judgment seat. On the blessed being called to enter Christ's kingdom, because they had always pressed forward to do what was right and never forgot the poor, they are content to offer their praises and thanks for the benison (*benegone*) which 'he has bestowed upon them with so much courtesy.' *Iusti intrant in celo*, rejoicing. Christ comes to the wicked ; he upbraids them for never succouring him and calls the demons already in hell to take them away and be their companions. On their asking what made him say so, he answers,

When the poor man was before you
I in his person stood.

The damned call to the Virgin to help them, and she appeals to her Son. Let us give her words.

Nove mese te portaie
Ello mio ventre vergenello,
A queste poppe t' alataie
Mentre foste piccoello ;
Il si te priego, se esser puote,
Che la sentencia tu revoche.

But Christ is obdurate, and the Virgin answers the suppliant that the time for appeal is past and grace through-her is suspended. Again one of the condemned appeals to the Virgin, and he will not let go her cloak. Again she seeks to soften her son's heart, but it is of no use and she bids the wretched one to loose her. The wicked are carried off lamenting, Lucifer instructing his demons to punish each according to his deserts.

III

That there was a transition stage between the ordinary recitation of the *laude* and the acting of them, as we understand the term, cannot be doubted. This was certainly the case with the *laude come dialogo*, as we see in a fourteenth-century ritual belonging to the disciplinants of S. Domenico of Perugia, published by Monaci. According to the rubric, on Sundays, the mass and the preaching being over, 'the brethren are silently to clothe themselves before commencing the *laude*.' It is therefore to be supposed that they put on dresses adapted to the subjects of the sacred drama which was to follow. In confirmation of this view come some lists of articles belonging to the same confraternity. The first is dated 1339, and is specially mentioned as being the new inventory of the properties belonging to the society, which all the stewards shall have to hand over to their successors. Hence there must have been an earlier inventory. A few articles may be cited.

'A black mantle for the *devozioni*' (we see that in 1339 this term is coming into use); 'a shirt for our Lord on Good Friday; a black dress for the Madonna; six black dresses, one for the Enemy; three caskets for the Magi; two pairs of wings for angels with dresses of linen; three berette or caps, one white, one grey, one yellow, with hair attached to suit old, middle-aged, or young people; a leather dress (flesh-colour) for Christ, with leggings of the same; seven black veils for the Maries; a large cross fit for the *devozioni*; two Thieves (i.e. figures to place on each side of our Lord when on the cross); a mask for the devil, with a black dress; crowns for sixty-eight angels.

A dove for the Holy Ghost; two surcoats for the Centurione and Longinus besides a number of veils (of silk and of linen), beards and wigs both black and white, gloves, &c. Of the books of *laude* and *devozioni* (and there are several mentioned), there is one written on cotton (1339); the others, including one of *laude come dialogo*, are on parchment. Almost all have some illustrations *cum tavolette*.

Although scriptural and saintly personages usually appear in the *laude come dialogo*, these were sometimes varied by the introduction of allegorical characters, the general aim being that the principles of good and evil should be brought out in contrast by the dialogues which ensued. The drawbacks attaching to vicious courses and the advantages attendant on the good were shown up, a moral lesson being inculcated. The earliest and rudest forms of a drama, the *Morality*, which was popular in every country during the middle ages, especially in England and in Spain where it was brought upon the stage with great elaboration, were to be found in Italy, and were called *Contrasti* or *Contenzioni*, and were

restricted generally to two characters, with the spectators present often joining in as a chorus.

Among the *laude* composed by Jacopone and his followers are the Dispute between the Living man and the Dead one; between Man and the Devil; between Honour and Shame; between the Soul and the Body. Let us take a contrast between the living and the dead, drawn by Monaci from a collection of *laude* discovered by him at Rome. Vivus first appears; he appeals to Christ for mercy on his servant, a disciplinant who has lately died. He reminds him that he redeemed him when on the cross, as he called out in a loud voice 'Father.' The brother who takes the part of Mortuus now advances with form and features hidden by black hood and veil, and addresses the brethren. His isolation in the dark sepulchre which he has just left has impressed him with his utter helplessness and insignificance; he calls upon the company to help him to come out of this exile which no man can do for himself. The hand of God has been laid upon him, but still he is in great misery. Vivus tries to comfort him by saying that the price had been paid for him, but Mortuus is not so sure of the future; he reminds Christ that he has been made in his own image and had life given him, therefore he ought not to be condemned. He begs him to break his chains so as to let him pass to him. Vivus now asks what would be efficacious to help him out of trouble? They would willingly help him if they knew how. Mortuus answers, the giving of alms is good and shortens time for him; the more alms received by the poor, the smoother is made his path.

Vivus. The giving alms is not for him
Who for himself has not enough:
How can he set himself to give
Who has not bread, nor yet has flour?
He can't be asked with help to aid
Who has to take the beggar's trade.

Mortuus. Who cannot openhanded be
Should not be niggard with his prayers;
Another help of sovereign worth
Is saying for me frequent masses,
The holy sacrifice to raise,
And above all our God to praise.

Devoti. (*The Brethren around.*)
Loved Brother, answer to us,
Who had'st got as thy companions,
In the grave which had to hide thee?
Wast thou alone by night and day?
Had'st no friends, no kindred near,
That were not once to thee most dear?

Brother, many have been with thee,
 For there were thine own companions,
 Since the time wast taken from us,
 All thy foes we've sorely wept.
 Now, good friends, to Christ do pray
 That he may stand 'fore him to-day.

Before we leave the early days of the disciplinants we must complete the gallery exhibiting their very rude but effective dramatic talent by giving a specimen of their lyric *laude*, a *Laus pro defunctis*, taken from Monaci's work.

Let us make the picture for ourselves. The hooded brethren by turns (four were generally chosen by their leader to sing at one time) addressing the body of their departed brother lying in his shroud, the whole, so to speak, under the shadow of a large crucifix raised at the end of the hall of assembly.

Ne'er, true-hearted, didst thou weary
 This poor flesh to mortify;
 With great love thou cam'st among us
 With resolve of duty high.
 Grieve at thy departure hence
 Thy brethren of penitence.

Yes, thy company but now
 Had a love for thee so tender,
 They were fain thy voice could tell them
 Why so sad thou didst them render.
 Soon, too soon, thee Death did win,
 Brother of our discipline.

Brother, great the love thou bearest
 For thy scourge and for thy vest.
 Thy flesh, thou didst keep it under,
 Hoping for the heavenly rest.
 To the Crucified art now brought,
 Who was ever in thy thought.

Marvellous was thy devotion,
 Thy penitence 'twas always made,
 Never stopped by cold of season,
 Of the approach of death afraid;
 'Twas ever present to thine eye,
 And we ne'er thought that it was nigh.

To the bystanders)

Now we beseech in courtesy
 That ye all may intercede
 For the soul that's passed away
 From this world of woe and need.
 Gentle folks to Christ do pray
 For him whom he's taken away.

There is a *Pianto di Maria* from the Corsini Library at Rome, brought to light by Signor Monaci, which is another step in the progress of development. Like the *Antichrist* it is in six-line verses, but no longer of eight-syllable lines; here eleven are employed. The eight-line verses of the *ottava rima* were not adopted till later. This drama seems to have left Umbria and gone down south, for although it is clothed in the dialect of the Abruzzi it has an Umbrian ring about it, and this is hardly to be wondered at. The *disciplinati* on passing out of their province carried their *laude* with them, and these became modified as they struck root in a new soil. It was during the migration that a line or a verse here and there would drop out to the injury of the sense and the rhyme, as the gap when filled up was often unskilfully done. But to return to the *Pianto*. The Madonna appears, she is in great tribulation. Her heart is failing her, her 'woe is tightening round her like a chain.' Her son has not returned to her. Where are his brothers that used to give some news of him? Swords are piercing her heart. Have all been taken? Are they all dead? She catches sight of John. What has become of Christ? They were together at the passover. What horrible thoughts come over her! She knows he was with her son in the garden—say, is he alive or dead? John tells her of her son having been taken, sold by Judas. Mary would speak to him again before he dies. She will put on robes of mourning, for her son will be done to death. Maddalena, beginning with *Madre di Christo, cara mia sorella*, comes forward. Let them set off with John to seek him and try to aid them. The scene abruptly changes. (Christ is now on the cross and Maria weeping at its foot.) The Son calls to Mary to cease lamenting, let her take some comfort, he is departing, and going to his Father. John shall be her son and companion. John declares that he will ever obey, honour, and caress his *Madre Maria*. Maddalena shows that they alone remain, all have gone to their homes. No one has pity on Christ, and he who should take him down is late.

Joseph of Arimathea is before Pilate. His request to be allowed to take down Christ's body is willingly acceded to. With this permission Joseph comes before Maria.

Mary. O Joseph mine, how long thou hast been tarrying!
 See, there hangs dead my loved son the Christ,
 And I, the miserable, have waited for thee, longing
 That thou shouldst place him within my arms so free;
 Once more for him to kiss, now grant to the forlorn;
 Till in these arms he lies, like fire I fiercely burn.

Joseph of Arimathea.

 O lady mine, 'tis only now I've learnt it,
 The cruel death of thy beloved son.
 Had I known aught, with eager steps I had come

And thus been ready for such dreadful strait.
 As my dear Lord I ever have him known.
 Alas ! ah, woe is me, I must ever for him moan.

Mary. Softly, softly, I pray thee, loved Joseph,
 Lest thou shouldst rub him with this sable robe,
 And be thou tender with that lovely hand.
 Ah me ! they've pierced it with that cruel nail.
 Beloved son, how canst thou have it borne
 And did not die whilst they thy flesh have torn ?
 See these large nails they had hammered in, and fastened
 Upon the cross my own, my precious son.

And now the body is down and upon her knees. When Maria is not addressing it, John, Maddalena, and Maria Jacobi take up the strain.

John. I John am here, that thou hast oft caressed ;
 No more, no more, shall I sleep on that breast.

Mary. Would that I could die, and buried be with thee !

In Maddalena's mind there come

Those tender words which thou didst speak—
 Lazarus, arise, and come thou forth.

Mary Jacobi. Her loved Lord, it was said in prophecy, was to die for the great sin of Adam in breaking the commandment. What awful death and torment he has had ! Mary recounts how the prophecies have been fulfilled, and after the benefits he had bestowed, all had finished on the cross. What sinner would not weep at seeing all these wounds ? And then *Joseph of Arimathea* gently breaks in. She should take a little rest and let him place Christ in the sepulchre. It is now late and not proper to be out. At night a house should shelter them. May she receive comfort, while she is weeping with her sisters at home ! Mary asks her new son, shall they go ? Would that she could stay and be buried there ! Life without her son will indeed be hard. As she is leaving, she turns to the spectators :

You now, who listen to the lament of Mary,
 To sing his cross I pray you not be chary.

IV

The highest point reached by the dramas of the *disciplinati* is shown in the *Devozioni di Giovedì e Venerdì Santo* discovered in the Palatine Library, Florence. Though they bear the date 1375, they are generally considered to be much older. Indeed d'Ancona

asserts that they had been 'at the mercy of a series of careless and ignorant copyists,' and points out that in some places lines are wanting which in the original must have been there to make strophes complete; in others, lines have been introduced by those who did not trouble themselves to preserve the original rhythm. He also draws attention to the clumsy attempt to change the original metre to suit the new versification, so that we find lines of every length, from eight to twelve being used.

Like other compositions, generally by nameless authors, these had probably entered into the common stock of different confraternities, being modified according to their various requirements.

Whilst the original idiom seems to have been the Umbrian, the dialect is that of the Venetian provinces, a number of words in these two pieces being peculiar to that region, but at the same time the dramas seem to have travelled to the South of Italy, as many Neapolitan words are here. That the Umbrian was the older formation is indicated by the fact that the rhyme where defective can be restored with greater facility by using Umbrian words current at that time.

That these *devozioni* in the year 1375 were no novelty we see by the continual use of the term *come e consueto* (as is usual) in the drama, meaning that a certain way of doing things need not be described, as it is known already. Thus: 'The Jews give him vinegar with gall, as is usual;' 'So saying Longinus pierces Christ's side, as is usual;' 'Having said this, a great cry was raised, according to custom.' The stage directions of which the above form part are not only very full and numerous, but are in the vernacular, pointing to a decided step towards a national theatre. The oratories and chapels of the confraternities which were adapted to the simple *laude* and short dramas like those *contrasti*, were found unsuited to pieces so complicated and having so many characters as the mysteries before us. The brethren therefore sought and obtained the assistance of the clergy to have these representations within the churches.

Unlike other countries where the mystery took its rise in the monasteries and churches and then descended to the laity, in Italy the clergy seem to have been content with their own religious ceremonies, set out by the aid of music and rich ceremonial, though they welcomed the rude attempts of the laity to encourage devotional feeling and assisted them not only by furnishing a *locale* adapted to their wants, but by enhancing the representations with descriptions from the pulpit, weaving narrative with action, and emphasising the whole in the minds of the spectators. Given the *locale* it was necessary that each actor should be assigned a certain station and that he should be seen by the spectators. The place chosen had usually its back to the screen separating the body of the church from

the chancel, which was set apart for the clergy and singers. Here the stage called the *talamo* in the *devozioni* (*thalamus*) was erected. On the *talamo* were a number of structures of various shapes having openings in front. Thus were formed special compartments according to the necessities of the case, by turns representing a town, house, or a chamber, &c. These structures were called *luoghi deputati* (places set apart), the *lius e les mansions* in the French *Resurrection du Sauveur* of the eleventh century. Sometimes the actors would appear at the side of the stage, as when Maddalena comes from *la parte delle donne*,—the part of the church where the women usually sat. In the first *devozioni* there are two *luoghi deputati*, the house of Martha and Mary being at one extremity of the stage, and the Mount of Olives at the other. There are two doors, one admitting from Bethany and the other from Jerusalem.

DEVOZIONE DI GIOVEDÌ SANTO.

First begins the banquet that Christ partook with Mary on Holy Thursday. The Virgin Mary being in the house of Martha and Mary Magdalene, Christ appears coming from Jerusalem, and the Mother goes to meet him with Mary Magdalene and Martha. Maria embracing Christ says to him: She beseeches her son all-pleasing, who was ever obedient to her, not to go to Jerusalem, for she knows how iniquitously they are determined to kill him. Christ warns her that he must do his Father's will, that she is not to be so melancholy, nothing will be done more than he told his mother before setting out. So said, they embrace. And meanwhile the others sit down to table to eat. Mary is standing with Christ, kissing him, saying, 'My son.' Then these sit down to eat. One of the company is to be Lazarus. The eating being over, Christ calls Maddalena aside, and Maddalena kneels down while Christ speaks to her. He recommends his mother to her care, and begs her not to abandon her. He is going to Jerusalem, where he will be taken by the fierce people and condemned to be crucified. His mother will be grieved to the heart. Abandoned by his Father he will remain with her and John while he has life. But Maddalena is to preserve silence till he is taken. Maddalena is ready to do what Christ commands, but this is a sad bitter day for her. Woe to her, to be thus abandoned. More bitter still for the mother, when she hears. This said, Maddalena kisses Christ's feet, and Christ goes to where the others are, Maddalena remaining, and Maria goes to her and in an imploring tone says. . . .

Maria would know what her son has said, but Maddalena will not say. *So said* (to use the quaint phraseology of the piece), *Mary goes with Maddalena to Christ, and wishing to kneel before him, he raises her up. She asks him to tell her what he is occupied with;*

sad fears seize her, why is he so silent with her? She beseeches him to tell her. He answers that he is going to death in order to save the world. 'Was it this which he imparted to Maddalena?' She implores him—

I pray thee, my sweet son,
In some other way may safety for the world be won.

So saying, Maria falls to the ground and remains there a little, and Christ raises her up. And Maria, when come to herself, exclaims: Let her no more be called Maria, when she has lost him. She is the most miserable of women. 'O God, how couldst thou consent to it? O son, blessed before thou wast born!' *So said, Christ and Maria sink to the ground as if dead. And then on rising they embrace, and Christ goes and sits down. And Maria goes to Judas, and kneels before him, and Judas lets her stay kneeling. The Virgin recommends her son to his care: May my son be not abandoned by thee, when he is among other people! And Judas with a double meaning reassures her. 'It is not necessary to say so much about it. I know what I have to do.'* *Then Mary comes in the same way to Peter, but he will not allow her to kneel. He says, 'For the love of him I would accept death, I will defend him from any people.'* *So said, the Mother and Maddalena and Martha and Lazarus go to Christ. And Christ makes a reverence to his mother, embracing her, showing that he was going to leave her. The Maddalena beseeches Christ to let them accompany him to the gates of the city; some consolation to the Mother to see him. He consents. So said, they all go together towards Jerusalem, and as they are at one of the gates, Maria appeals to Christ. She beseeches him not to let her leave his side. He answers, that his passion must not be hindered. 'I will send the Angel Gabriel to thee, till thou canst have John, my dear brother.'* *The Angel appears. Here Maria gives Christ her blessing. This done, Christ with his mother falls to the ground. And Christ rises and enters by another door into Jerusalem. Maddalena and Martha raise up Mary, who then turns round to the people and asks what has become of her son. She then turns to the Angel and prays him not to leave her till moved by her grief her son sends death to her. The Angel promises to do as she wishes. Then Maddalena offers her her company and that of Martha and of Lazarus her brother, and begs of her to return with them to Bethany: 'till John is sent to them.'* *The Virgin assents. She implores them not to abandon her. So said, she throws herself at the feet of Maddalena and Martha, but they raise her, they will not let her kneel. Then they leave together and return to Bethany. And Maria turns round to the women, and says as she is slowly leaving:—*

O all ye women, observe, I pray,
 With what sad heart I must now turn.
 Alas for me, my hope is gone away,
 No more will it come back, I am forlorn.
 I always feared the coming of this day,
 When at their hands his life it would be shorn.
 I turn me back, and thou, son, must remain
 And, no help coming, by cruel Jews be slain.

They enter their homes and disappear. The scene changes, and we have the garden of Gethsemane. 'Christ appears with his disciples, taking apart Peter, James, and John, as is usual.' He tells them to go and rest a little, while he prays. He prays with the cup in his hand, and then goes to his disciples a second time; he turns to pray. Then finding his disciples still sleeping, he takes a stone and places it under his head and appears to sleep. Soon he rises and again prays, this time in great agony. The Angel comes and comforts him. And now is being prepared the armed band to take Christ (probably seen through an open door), and Christ approaches the other apostles, and the band comes with Judas, and Christ advances asking, *quèm quaeritis?* and Jesus exclaims *Juda, osculo Filium hominis tradis?* This said, the armed band take Christ and bind him with a cord and they bear him away. And the disciples abandon him. John and Peter follow behind Christ.

(*End of the Devozione of Holy Thursday.*)

'When the preacher has recounted according to scripture as far as when Pilate recommends that Christ shall be taken to the column, he ceases speaking and Christ appears, naked, with the scourgers, and they go to the appointed place where the column stands. They bring him in the midst of a number of people, as many men as women if this can be done, and by Christ's side is John, and when they have placed him at the column, the scourgers scourge him with zeal and then cease awhile, that is when Christ would speak with John whom he tells to seek Maria, so that he may receive her blessing. At this, one of the scourgers smites Jesus, "showering" abuse on him. After which he is taken from the column to the appointed spot. Then John, turning to the people, addressing them as *Signori, done, e bona gente*, asks them to show him where the unhappy Maria may be found. This sable garment will I take to her.' He bears it as a sign of mourning. When he has finished speaking, Maddalena comes from the women's side towards the stage and meets John. They will go together to seek Maria. Maddalena leaves the stage, and encountering Maria coming from the other side and before they meet, Mary advancing says, 'Ah me most doleful, what evil news now come?' and then she exclaims, 'Do I see a sable garment? Can it be for my dear

son? Tell me quick, O Maddalena.' . . Maddalena, having described how Christ was taken, tells Maria to put on the black robe, and if she would see her son she must come that way. On this Christ appears with the cross on his shoulder, and the two thieves and certain women following, and Christ turns to the women. 'He says, let them not weep for him but for their children, and he foretells troubles and disasters.' And while Christ is saying these things he comes little by little to where Maria, Maddalena, and John are, till he is opposite to them, and Maria rushes forward to embrace Christ, and he throws the cross upon the ground and the Jews are driving her away and Maria says to Christ. She asks her son what he has done to these people that they should have so ill-treated him. She reminds the people of the predictions of Isaiah on the sufferings of the Redeemer. Then 'the Mother trying to seize the cross, the Jews would drive her off, and Maria falls down as if dead . . . and Maria remaining thus the Jews take Christ away to the place set apart for placing him on the cross. And the Mother comes to herself after Christ is taken away; not seeing him she turns to the women and says:—

Ditemi, done, per cortesia,
Dove andato? Mostrate mi la via!

When the second part is reached the scene is changed. We have now the crucifixion. 'Mary, John, and Maddalena come where Christ is going to be placed on the cross. And the preacher preaches (probably from the pulpit) drawing attention to the sacred narration, 'and as he makes a sign that Christ should be placed on the cross the Jews nail him, first with one hand and then the other, and being nailed they raise him, and being raised up Christ asks:'

Have those who pass that way ever seen such fury as was shown to the son of the afflicted Mary, by those who inflicted death with such agony? He prays his Father to forgive them; they know not what they do, the terrible pain they are inflicting. Mary has now arrived, she has heard the last words of the Saviour. She marvels at his mercy in pardoning his executioners. She then turns to the cross and beseeches it to deal gently with the precious body it embraces. Again the preacher preaches, and while he preaches all is quiet, then he makes a sign and the two thieves speak with Christ. Then the dead rise around, some offering their services to him and to Maria, others informing him that the prophets and patriarchs are waiting for him to set them free. Mary's *corrotto* or lament may be heard between the addresses which the dead make to our Lord. The preacher calls attention to the dead having risen, and on making a sign, Maria turns to Maddalena to get Christ to speak to her; she is a little jealous that he should have spoken to the

thief and not to her. He then tries to comfort her, giving her John as a son in place of himself. Mary turns to the people and continues her lament; she has now indeed lost her son whom in impassioned accents she describes. Then embracing the cross she falls down as if dead. 'Then the preacher preaches till Christ opens his lips to speak.' Christ prays to the Father.

'God speaks to the Angels who stand facing him till he has ceased speaking.' He tells them to go down and comfort his son and keep him company till he dies. One of them says to the other, 'Let us go quickly and take his blood from the cross.' While the angels are descending on the stage the devil rises from below and places himself on the cross at the right hand as if ready to take Christ's soul. 'Then the preacher preaches, and then on making a sign the devil speaks to Christ in gentle terms.' He tries to persuade Christ to come down and save himself and leave all to him. Christ answers that he has come to save the world. 'Till I have driven thee off, thou wilt never see me take rest.' The devil insists the more, so as to secure the world, but he is repulsed. Then Longinus wounds Christ's side *as usual*, and having received his sight he kneels down and says to Christ, he knows him as the true God who renders good for evil. Jesus now yields up his spirit, and the devil, utterly broken down, throws himself on the ground. Mary's *corrotto* breaks out afresh. Joseph and Nicodemus approach; they have everything ready, they ask if they may take down the body and bury it, for night is approaching. Mary assents if she may first have her son in her arms. They take down the body, 'the Mother placing herself in the middle, John at the head, and Maddalena at the feet, the Mother lamenting over each limb, kissing them one by one, beginning at the head, the eyes, the face, the mouth, the hand, the side, and above all the head.' Arrived at the hands, she calls to John to notice them, lacerated and wounded as they are. He weeps over them.

Queste, o dona, son le mani sante,
Con le quali benedicava tutti quanti.

The feet she shows to Maddalena: 'O my daughter, these are the holy feet over which thou hast shed thy tears.' And Mary turns to the people, and, wringing her hands, cries that 'she who was of all creatures before her son's death the happiest, is now the most miserable! Then the Angel Gabriel comes to comfort her: O glorious Gabriel, who on descending to her with the Holy Spirit brought joy and radiance to her here in the son whom he heralded, where are the promises he made to her?' Joseph and Nicodemus place the body reverently in the sepulchre. As they are slowly passing *per la via de le done*, Mary turns to the women. Will not those who have had children tell her if their hearts have not been

torn when these have been struck down? They return to Jerusalem. Maddalena and Mary remaining a little behind, Maria carrying the nails. She exhibits them to the women and tells how 'the false Jews have pierced her hope with them.' Maddalena closes the piece—addressing the spectators:

Of the death of Christ ye should take good heed
If by him saved ye would be,
Have mercy on them who death to him did give,
Therefore I pray you all to cry with me.—

Here something is wanted to make up the sense, for naturally Maddalena's appeal had to be answered. Palermo, who discovered the manuscript, suggests that the spectators were to cry 'We pardon' (*perdoniamo*); Ancona, who has also made a study of this drama, suggests, with greater probability, that the people should cry, 'mercy' (*misericordia*).

Some day an original copy of these *devozioni* before they went on their travels may be found. The compositions would gain greatly thereby, for many of the blemishes which are now seen would not exist. Were they wholly in the language originally used, every line and every verse would be complete, so that not only the rhythm but the sense would never fail—a vigour and a colour which one often misses and cannot remedy would be restored to it.

A jewel of which many of the stones have dropped out and into which many inappropriate ones have been inserted will not bear the minute examination which it could have done had it been complete. Still at a little distance its general effect may be good. So it is with what we have now got of the *devozioni*; there is a certain grandeur and pathos of which they cannot be robbed. To the student they are most useful in supplying a link in the study of the history of the drama.

V

Italy seems to have been indebted almost wholly to the lay confraternities for her religious drama during the thirteenth and fourteenth centuries. Of the one or two exceptions very little is known. The passion and death of Christ seem to have been represented in 1243 at Padua—not in a church but in the Prato della Valle, the field where the sports and exhibitions were usually held. Of this representation we are only told that it was solemnly performed, not a word as to whether in Latin or in the vernacular; probably it was a mute performance, such as was not unusual later in different parts of Italy.

It is not to be expected that the strong feelings which St. Anthony of Padua and the monk Raniero had called forth should be permanently maintained. The wave of contrition which passed

through the land in the middle of the thirteenth century ebbed away, the people returning to the apathy and discord which had previously prevailed. But in the towns where the penitents had been able to combine and organise, and to possess oratories of their own, the movement lived on, and many of the companies exist to this day.

Although in Sicily no written sacred representations have been met with earlier than those of the sixteenth century, the extensive intercourse between the Sicilians and the north of Italy made them acquainted with the ruder forms of drama exhibited by the confraternities of Perugia in their early days. It appears from a manuscript extant in the Palermitan Library, that a company of flagellants, with rules and offices similar to those of Umbria, had established itself in 1363 in the Terra di Burgio near Sciacca. The impressionable Sicilians seem to have received the revivalist tenets gladly, so that companies spread rapidly all over the island, in the wildest parts as well as in the most beaten tracks, celebrating the passion of our Lord by processions of people with figures in groups representing distinct scenes mentioned by various writers. Usually they were dumb shows, but sometimes the processions stopped at certain stations, and short dialogues illustrated the shows, which seem to have been nowhere so numerous or elaborate as in Sicily. 'It is very probable that some of these pantomimic exhibitions,' says Signor Giuseppe Pitrè, 'are substitutes for the processions of living actors which had succumbed to the anathemas of the many ecclesiastical councils of the sixteenth century, and to the desolation caused by the plague at Messina in 1573.'

The *azioni sacre*, originally simple and devout, had gradually embraced not only the beginning and close of our Lord's life, but a variety of biblical incidents and passages in the lives of the saints. The actors, untrammelled by written texts with oral directions, had only to improvise a great part of the dialogues, consequently much licence crept in, and religious subjects were treated carelessly and often with great irreverence. The processions of living figures were called *casazzi*, establishing a link with exhibitions of the *disciplinati* of Liguria which in the earliest times were called *casaccie*, a term for which two explanations have been given. One because of the large houses used for the meetings and representations—for being laymen the churches were not always available—the other because, when the flagellants were introduced into Genoa by Sinibaldo Oppizzone from Tortona at the end of the thirteenth century, they served in the Hospital of St. Lazzaro, tending the lepers with whom the crusaders made Europe acquainted, and the accommodation being insufficient, large houses had to be built for them. Artisans and countrymen, to whom the gaining of a livelihood was a continual struggle, looked on the invitation to take

part in these exhibitions with the greatest satisfaction. For many years they prepared for the opportunity, painfully saving up what would furnish them with a dress suitable to the occasion. What can be more touching than the *azioni sacre* still to be witnessed at Anoja Superiore in Reggio di Calabria, tracing back to the old confraternities? On Good Friday, when the sermon is being preached, at a certain moment the large door of the church opens and the Madonna Addolorata in a black mantle (as we have seen borne to her by St. John in the *devozione di Venerdì Santo*) appears, accompanied by the Apostles and Joseph of Arimathea. She is seeking her son. She halts at the foot of the steps leading to the altar. Then the preacher, taking the Christ from the cross close by him, descends and places the representation of the Son in the arms of the Mother.

A procession still to be met both in Sicily and on the mainland early on Easter day, has a large figure of Mary in sable garments borne along about the city. She is supposed to be sadly seeking her son who is no longer in the sepulchre. Another procession appears with the statue of St. Peter with the keys, who tells the poor Mother what has come to pass. She cannot believe the good news. But now another group appears and the risen Lord is seen. Mary and her son are brought face to face, and all doubts are dispelled. Then a friendly hand pulls a string, the black mantle falls off, and Mary shines resplendent as the queen of heaven.

The religious movement which commenced in Umbria and spread over Italy, giving rise to the companies of disciplinants, early invaded the southern valleys of the Alps, and, as in Umbria and Sicily, found a congenial soil for its development, not only of the performance of sacred representations and the recital of religious poems, but for diffusing works of charity. Hospitals were erected in Trent and maintained in the towns near by the *battuti*, as in the middle of the fourteenth century an old writer tells us they were called.

Each *fradaiia* or brotherhood had its statutes which enjoined the singing of appropriate *laude*—compositions which in their Alpine dress betray their Umbrian origin. These canticles are still to be met with in out-of-the-way districts, and it was only a few years since that at Chizzola (says Signore Albino Zenatti) there were to be found knots of people reciting one of these during the holy week in the dramatic fashion of the old *battuti*, one taking the narrative part, while Mary, St. John, and the Blacksmith were represented by others. This excellent poem, which has ever held its own, begins—

Chi vuol sentir el pianto de Maria,

and may be rendered into English thus :—

Who will give ear to the plaint of Mary,
When her dear son from her was stole away ?

On Holy Thursday was it she had lost him,
 And on Good Friday set off in anxious search.
 She meets St. John. 'Oh, blessings on thy head,
 O John, O John,—so beautiful, so blest;
 Say, hast thou seen the son so dear to me?'
 'O Mother Mary, yes indeed I've seen him;
 Between two thieves being scourged full sore,
 Buffeted about, ill-treated every way.
 A crown of thorns did compass that loved head,
 The saintly hands behind him have been bound.'
 And the poor Mother, so distress felt she,
 That to set off at once she lost no time,
 To seek him by all roads that she might know,
 With disordered locks all streaming in the wind.
 Go, go, sad Mother to those gloomy portals,
 Take up a stone and beat at them full hard.
 'In mercy open—the Mother Mary I,
 No mother knew so much of misery.'
 They draw her in where brawny arms are working,
 She sees the nails they are forging for her son.
 'Forge ye these nails? I pray make them more slender;
 Think, they've to enter in flesh so delicate.'
 'Then out of spite we'll make them heavier still,
 With three pounds more of iron will we make them.
 Before thy very face we'll drive them in.'
 And the poor Mother, so distress felt she,
 She fell to ground as if of life bereft.
 The Maries three have run support to give,
 With handkerchief in hand her tears to dry.

 'Loved Maries three, I would your life ye gave.
 To the cross's foot I must now wend,
 Once more on my dear son bestow a kiss.'
 'Not so, sweet Mother Mary, it is too late for this.'

Throughout the middle ages this poem was a great favourite in Italy, being found in Umbria, in the Marches, and in the Venetian provinces. Mazzatino (in his *Poesie Religiose del secolo xiv*) tells us that the Umbrian peasants used to meet on the evening of Good Friday and recite it; the father of the family taking the narrative part, the dialogue being taken up by other members.

'It may be,' says Zenatti, 'that it is the same *lauda* which still reminds the people in Palermo of the passion on the evenings of Fridays, especially in Lent, when at the corners of the streets or near the entrances to the churches one came upon knots of poor women who, after joining in singing a sweetly doleful ditty, full of faith and feeling, received the offerings pressed upon them by people often poorer than themselves, but with a trust as glowing as any shown by crusader or pilgrim to the Holy Land.'

Another hymn, which used to be sung also in Tuscany at the meetings of the *battuti*, reminded the brethren of the irresistible power of death.

Is there an one who would the world despise,
Then must he keep grim death before his eyes.
Oh, death he cruel is, and proud and strong,
There's no man living that can him withstand,
Useless thick walls or doors with iron band,
High pontiffs and kings,
Churchmen and worldlings,
Saints, sinners, the just,
Are all brought to dust.

Out of the *laude* one can make up a history of the passiontide with endless variations. There are addresses of the Madonna to the women around her, to the Jews, to the Saviour, and to the cross on which he is hanging, and there are expressions of sympathy in return from them, whilst the cross offers her consolation, reminding her of what has been prophesied. Mary, in a *lauda* found at Siena dated 1330, addresses the cross: Because she has seen her beloved pass away will it mock her? It cannot say the martyrdom is just. It answers: She may read for her comfort in this her great trial, that it (the cross) was made out of four different kinds of wood, each having a doctrinal signification; that the soul should rest upon four props, each promising eternal life—one of cedar, giving strength, another of cypress, divinely pointing on high, then the olive for tender compassion, and last of all the palm, emblem of victory. The cross reminds her of the Holy Spirit which she has received—let her not weep so bitterly. She reproaches it for having taken her all. It will restore all, the cross avers. Thus it must be that man should be saved.

Pesaro Aquila (in the Abruzzi) has yielded a number of *laude*. There is one addressed to unbelievers on Corpus Christi day from Pesaro in which the following beautiful passage occurs:

Xps loq.: O gente sempre al creder tarda e stolta,
Al ben far cieca, sorda, pigra e lenta,
La fede tua, la qual veggio gia spenta,
Vol chio venga a morir un altra volta?
Che mi val, peccator, per te esser morto,
Poi che se tanto al creder ostinato?
Quanto volte el mio sangue a ber tho porto,
Et dato in cibo el mio corpo sacro!
Pur mi sforzo condurti salvo in porto,
Benche con lobre tue sia sempre ingrato.
Hor vedi sparso per piu chiaro segno
Quel sangue che per te sparsi in sul legno.

Traces of the brethren have been found in France, in Spain, in Germany, and in England; but to follow them is impossible within the limits of this article.

I. S. A. HERFORD.

The Early History of the Referendum

THE Swiss institution of the *Referendum* has attracted so much attention in England of late, that a few notes on its history, especially its early history, may be of interest to the readers of this REVIEW.

In tracing out its history the main point to bear in mind is that the word has been applied to two very different things, which must be carefully distinguished. The form it has put on since 1848 is the best known, and may therefore be dismissed briefly. The *Referendum* now means that laws passed by the legislature are to be laid before the body of voters for final acceptance or rejection. In some cases only laws on certain subjects, *e.g.* financial matters, must be so voted on; in some cases all laws must be so voted on if the legislature so decides, or a petition in favour of its being voted on is presented by a certain number of citizens (*facultative Referendum*); in others, all laws on all subjects must be submitted to a popular vote (*obligatory Referendum*). The principle which underlies each of these varieties is that the people, and not the legislature, ought to have the last word in legislation. In its present form we first find it in 1848 in Schwyz and Zug, when, for various reasons, they abolished, after the Sonderbund war of 1847, their *Landsgemeinden* or primary assemblies of all citizens. Neuchâtel is credited with having invented, in 1858, the *Referendum* in its application to certain classes of laws only (financial), Vaud in 1861 with the discovery of the facultative, and Baselland in 1863 with that of the obligatory form. The very democratic constitution adopted by Zürich in 1869 is believed to have done much to popularise the system, so that Freiburg is said to be the only canton into which it has not yet been introduced in any form.¹ Finally, in 1874, the *Referendum* made its appearance for the first time in the Federal Constitution, the 'facultative' form being adopted, by which any federal law and all non-urgent federal resolutions must be sub-

¹ I take these facts from Dr. Alois von Orelli's admirable and compact work, *Das Staatsrecht der schweizerischen Eidgenossenschaft* (1885; pp. 104-7), which forms one section of Marquardsen's *Handbuch des öffentlichen Rechts* published at Freiburg im Breisgau.

mitted to a popular vote if a petition to that effect is presented, signed by 30,000 Swiss citizens, being qualified voters, or by eight cantons (clause 89 of the Federal Constitution). There were, we learn from an official return published last January, 144 federal laws etc. passed by the Federal Assembly between 1874 and 1890. In twenty-two cases only was the Referendum system set in motion; in thirteen of these the law in question was rejected by the people, in nine approved. This list does not include the law relating to pensions to be granted to federal officials, which after having been very favourably received, and passed, by the Federal Assembly, was on 15 March last contemptuously rejected by an overwhelming popular majority in nearly every canton. It does include, however, several cases (though not the acceptance, in July last, of the Initiative in certain Federal matters) in which the laws effected changes in the Federal Constitution itself, and were therefore by another clause (No. 121) of necessity submitted to a popular vote.²

The transition from the old to the new system is best seen when we call to mind that after the Liberal movement in 1830 a system called the 'veto' was introduced into several cantonal constitutions, according to which a majority of half the qualified voters of the canton, plus one, could veto any law (falling within certain classes) passed by the cantonal assembly.³ No doubt, too, the Referendum came naturally into existence in Schwyz and Zug, since they until 1848 (and at the present day the other cantons who have still kept their *Landsgemeinden*) were used to such a veto in their legislatures consisting of all citizens appearing in person.

But the Referendum existed for many hundred years before 1848, and it is its original and genuine form which I have in view in this paper. It did not mean merely dropping a voting paper into a ballot box. It did mean that certain matters which the assembled deputies of the people could not decide either from lack of jurisdiction or lack of instructions were reported on by them to their constituents, who, after discussing and considering them in their local assemblies, accepted or rejected the proposed measures, their decision being conveyed by their deputies to the larger assembly, and the law finally rejected or approved by the majority of the communes or *Gemeinden* and *not* by the general assembly. This plan had one point in common with the modern plan—it was a recognition that the people were the sovereign power and must decide in the

² This fact seems to have escaped the attention of Professor Hilty (professor of political philosophy at the university of Bern) when (*Politisches Jahrbuch der schweizerischen Eidgenossenschaft*, 1890, p. 1066) he reproves Professor Dicey for applying the word 'referendum' to voting on alterations in the constitution only. It must be added, however, that Professor Hilty is practically right, since the word is not usually applied in Switzerland to such votes, and Professor Dicey appears to use it exclusively in that sense.

³ Orelli, *op. cit.* pp. 101-2.

last resort; but the report, the discussion, and then the decision must, it is obvious, have called forth more statesmanship, and led to a deeper consideration of the matter, than the modern mechanical device of the ballot box pure and simple.

So far as the possession or non-possession of instructions on any particular point is concerned, the older form of the Referendum obtained in the Swiss Diet, which (save in the days of the Helvetic Republic 1798-1803) was simply a meeting of envoys from each of the sovereign states and certain 'allies,' loosely joined together in the Confederation, until in 1848 it became a Federal Assembly, with full powers of legislation on all matters given up by the cantons to the new central or federal government. In this sense the Referendum exists also in all congresses or meetings of ambassadors (as at Münster and Osnabrück) held with the object of concluding a peace or a treaty of any kind; bound by their written instructions, they had to refer to the home government if any new point arose, or if, with the object of retarding a decision, they could invent any plausible pretext.

But the older form of the Referendum can be best studied in the two sister Confederations of the Swiss Confederation or 'Everlasting League'—the Vallais and the Graubünden (or Grisons). For many centuries the Vallaisan and Raetian Leagues stood side by side with the Swiss Confederation, allied with it, indeed, in a more or less definite and permanent way, yet, save these alliances, completely independent, till in 1815 the former, and in 1803 the latter became part and parcel of the older, and then newly organised, Confederation, henceforth called Switzerland, and no longer the 'Old League of Upper Germany.' It is most interesting to study the relations of these leagues to their elder sister,⁴ but for our present purpose it is even more interesting to study each of these two leagues by itself, for thus we not merely gain a greater insight into the gradual growth and difficulties of a federal system, but

⁴ I should like to take this opportunity of calling the attention of English students of Swiss matters, and of Federalism in general, to two admirable recent essays by Professor W. Oechslí, who is one of the most prominent members of the newer school of Swiss historians, and who has been entrusted by the federal government with the task of preparing the official historical and scientific account of the origin of the Swiss confederation which appeared in time for the great commemoration, on 1 August last, of the six hundredth anniversary of the signing of the first union between the Forest Cantons, the foundation of the later Swiss confederation. He has traced out the relations of the Swiss confederation to the empire from 1231 to 1499 in an essay which fills pp. 302 to 616 of Professor Hilty's already quoted *Politisches Jahrbuch* for 1890; while in vol. xiii. (pp. 1-497) of the *Jahrbuch für schweizerische Geschichte* (1888) he has worked out most elaborately and carefully the relations between the Forest Cantons, Bern, and Zürich, on the one side, and, on the other, all their 'Zugewandte' or allies of any kind (not being foreign princes), from the Vallais and the Graubünden to Engelberg and Gersau. In short, these two papers describe the external feudal and quasi-federal relations of the Swiss Confederation, the relations of the full members of which *inter se* are far better known and more usually studied.

also into the working of the original form of the Referendum. Fortunately, too, several recent publications have thrown great light on what was before a very obscure matter. For the Vallais, we have Professor Andreas Heusler's most valuable 'Rechtsquellen des Cantons Wallis' (with an admirably lucid introduction), which was originally published (1888) in vols. vii. and ix. of the new series of the *Zeitschrift für schweizerisches Recht*, and reissued as a separate volume, with a most detailed subject index and comparative tables, in 1890 (Basel: Detloff). For the Raetian Leagues we have Drs. Wagner and Von Salis' equally valuable 'Rechtsquellen des Cantons Graubünden' (also with excellent introductions), in the same periodical vols. iii.-x. (1884-91);⁵ and particularly a very instructive pamphlet (to which I am much indebted) by Dr. R. A. Ganzoni, entitled *Beiträge zur Kenntnis des bündnerischen Referendums*. Zürich: Zürcher und Furrer. 1890. Pp. 103.

Let us take the case of the Vallais first, as the referendum appeared there over five hundred years ago. It must be borne in mind that though the grant of the *comitatus Vallesiae* in 999 by Rudolf III, king of Arles, to the bishops of Sion probably included the whole valley of the Rhone from the Furka to the lake of Geneva, yet by the fourteenth century the bishop's power did not extend beyond the little river Morge (or Mors), just below Sion, which formed the boundary between his dominions and those of the house of Savoy. The bishop's jurisdiction was being cut short also at the other end of the valley, for as early as the thirteenth century the communes (*Zenden* or *Dizains*)⁶ were beginning to organise themselves and to claim a share in the government. In order to enforce this claim practically the seven Zenden of the Upper Vallais sent their representatives to Sion, where they sat in council with the bishop and his steward. This meeting is first mentioned in 1339 under the name of *concilium generale*. Later it was called *Landrath* and took place regularly twice a year. Its

⁵ It may be useful to give exact references to the numbers in which the introductions are to be found: 'General Characteristics of the Three Leagues, and in particular the Institutions of the Graue or Obere Bund,' *Zeitschrift*, vol. iii. part 2; institutions of the 'Zehngerichtenbund,' vol. iv. part 1; and of the 'Gotteshausbund,' vol. v. part 3. The feudal history of each district in each of the Raetian leagues is given in Dr. P. C. von Planta's wonderfully accurate and very handy work, *Die Curräischen Herrschaften in der Feudalzeit*. (Bern: K. J. Wyss. 1881. Pp. 481.)

⁶ This word has been explained as meaning a 'hundred' (*centena*); but it is now generally admitted that it is in some way connected with *decima*. Professor Heusler, the highest authority on the constitutional history of the Vallais, comes to the conclusion (in the Introduction to his *Rechtsquellen*, p. 13) that it originally referred to the *tithings* or districts within which tithes were payable to the bishop. He ingeniously solves the chief difficulty in his way by pointing out that originally each of the seven Zenden was of very much smaller extent than is generally supposed from their limits later, many districts which did not pay tithes to the bishop having later been incorporated with them.

object was not to unite the Zenden to each other, but to enable them to control or even direct the action of the bishop as the temporal ruler of the valley. This they succeeded in doing most effectually, but the point to be dwelt upon at present is that the envoys of the Zenden came as envoys from quasi independent states, having no power to decide anything (save elections of officials), but bound to bring home a report of any proposed measures. These were discussed in each dizain, its decision reported by its envoy to the Landrath, and no measure was binding unless assented to by every dizain. Thus the union of the Zenden *inter se* was of the most imperfect kind, none of them being bound by any measure unless it had expressly accepted it. In this way the independence of each was maintained, and it was only when some measure had to be taken against their nominal overlord the bishop that they acted with any approach to union. Professor Heusler gives several cases of the actual working of this cumbrous system, of which it may suffice to mention two.⁷ In 1525 a new set of regulations as to procedure in judicial matters was discussed and agreed to by the Landrath. Two years later it was announced to the Landrath that five Zenden had set their seals to this new code, but that two had not yet done so. By 1528 Sierre had sealed it, but not Leuk; yet the judges were directed to adopt the new procedure. But in 1543 the bishop informed the Landrath that as all the Zenden had not accepted it, it was necessary to abide by the old customary arrangements. Another attempt to secure the consent of all seems to have failed. In 1550 it was resolved by the Landrath that the new regulations should obtain in all the Zenden; but the envoys of Gombs (the dizain at the head of the Rhone valley) made certain reserves, and later reported that they could find no copy of the regulations in their district, but that Gombs would not separate itself on this point from the other Zenden. Thus it remained a moot point whether the new regulations had been properly accepted or not. The following extract from the preface placed by Bishop Johannes Jordan at the head of a collection of recent decrees of the Landrath, made in 1550, gives a formal description of the confirmation of these laws:—

Easdem constitutiones gnavâ operâ et deditâ diligentîâ de et ex libro arrestorum generalium terrae Vallesii perquiri et in hoc compendium describi fecimus sub titulis subinfertis, ac denuo ad audientiam communitatum septem desenorum terrae Vallesii eosdem articulos proferri ac publice perlegi curavimus. Quibus intellectis ipsae communitates eosdem prout et prius communi populi suffragio laudaverunt et acceptaverunt.

This system seems to have lasted in the Vallais down to 1852, when it gave way to a Referendum of the 'financial' type, limited by the Constitution of 1875 to the case of a capital expenditure of

⁷ *Rechtsquellen des Cantons Wallis*, pp. 20, 34-5.

60,000 francs and upwards, or an increased annual expenditure of 20,000 francs for the space of three years.

The case of the Graubünden is even more instructive than that of the Vallais, for the principle of the Referendum is, as Herr Ganzoni remarks (p. 7), the cornerstone of every constitution that has obtained in Raetia, save from 1800 to 1803, and its local history has been very clearly set forth in the pamphlet referred to, which will henceforth be our main guide.

In each of the three leagues of Raetia the sovereign power rested (with a partial exception in the case of the Graue Bund) with the *Hochgerichte*, *Gerichtsgemeinden*, or *drettüras*, i.e. the 'jurisdictions' or 'justices,' the units for judicial purposes; the communes proper or villages possessing land in common being known by the name of *Dorfschaft*, *Nachbarschaft*, or *vschinauncha* (=vicinania). The final decision therefore was in the hands of the *Hochgerichte*, and they were the units out of which were built, first, each of the leagues, and then the union of the three leagues.

It shows how firmly the principle of the Referendum in its original sense was established in Raetia, that we find it prevailing in three distinct strata as it were.

1. *As between the Members (Dorfschaften) of a Hochgericht.*

This is of comparatively rare occurrence, as the *Hochgerichte* were not generally of very great extent. But Herr Ganzoni (pp. 11, 98) cites the case of the Upper Engadine, where, owing to its remote situation, popular rights were never lost and always vigorously asserted. The statutes of 1665 provide that if the local assembly made laws, these were not to be of force until and unless they had been ratified by the 'villages' (*vschinaunchas*), and it is expressly laid down that according to ancient custom the voting always takes place by 'villages,' not *per capita*. The accounts of each 'village' were to be laid separately before the local assembly. In the 1839 recension of the statutes for the same valley this system is further elaborated, though this is probably only a codification of customary usages. The envoys from each village met in the 'comoen grand' (*Grosse Thalrath*) or chief assembly of the *Hochgericht* (made up of envoys from the several villages), and there discussed various proposals and measures. When they had agreed on any matter, the 'comoen pitschen' (*Kleine Thalrath*), or executive authority of the *Hochgericht*, had to issue a circular to the various villages, inquiring the opinion of each on the matters specified therein. A discussion then took place in each village, followed by a voting, the result being reported, by the envoys of each, to the 'comoen pitschen,' which then declared on which side, not the majority of villagers, but the majority of villages, was. It is worth

noting further, that not all members of each 'village' had the right of voting in matters affecting the whole Hochgericht (their competence being limited to the details of local administration), but only those residents who possessed the 'Hochgerichtsbürgerrecht,' i.e. who were 'freemen' of the 'drettura,' which, till 1851, was the real political unit of the whole system.

2. *As between the Members of each of the Three Leagues.*

The procedure was similar to that just described, the Hochgerichte (together with the feudal lords of the Graue Bund) forming the sovereign units, and the diet of each league being simply a gathering of their envoys.

In the case of the *Obere* or *Graue Bund* (Vorder Rhein valley) we hear of it early in the sixteenth century, and elaborate regulations are laid down in the statutes of 1713. But in this league the Referendum was probably far less important as a regular wheel in the legislative machine than in the other leagues, for here the feudal lords (hence the name *graue* [= *grafen* = counts] *bund*, which has nothing to do with grey coats, as is often asserted) were members of the league as well as the Hochgerichte, so that the Diet was comparatively powerful, there was a federal tribunal and many federal laws. Thus the Referendum was in this league chiefly useful as a means of ascertaining the views of the Hochgerichte before the Diet legislated more or less of its own authority.

The Referendum is mentioned in the *Zehngerichten Bund* (Davos and the Prättigau) in the early seventeenth century, and described at length in the code of 1633. This league holds the mean between the others in respect of the importance of the Referendum in its affairs.

In the *Gotteshaus Bund* (vassals of the bishop of Chur) the Referendum was of extreme importance, as it was the ordinary method by which all the general business of the league was transacted; everything was laid before the Hochgerichte as a matter of course, and they exercised full sovereign rights, until the old political system was abolished in 1800. On the other hand, it rarely came into operation, as the Hochgerichte made most of their own laws, each for itself, and only joined forces on great occasions.

3. *As between the Three Leagues themselves.*

The referendum system is fully described by Simler in his 'De Helvetiorum Republicâ' (1577), and by Sprecher in his 'Pallas Rhætica' (1617).

Here we must distinguish between two sorts of general assemblies.

The *Bundstag* was, properly speaking, the diet of the Raetian Confederation, but it only came together on special occasions when there appeared from each *Hochgericht* in each league envoys with 'instructions' on the particular matters to be decided; hence much discussion was needless, and (at any rate in the seventeenth century) the decision of the majority of members, not *Hochgerichte*, carried the day.⁸

A less exalted assembly was the *Beitag*, attended only by the principal men or 'witan' of the Three Leagues, and forming a sort of 'standing committee.' The nature of its functions is thus described by Simler.⁹

Quoties causae publicae agenda sunt, quarum tamen causa non placet indici senatum totius Raetiae, tum hi tres praecipue [sc. the chief magistrates of the Three Leagues] et praeterea aliquot alii ex singulis foederibus convocantur; sed non habent plenam statuendi potestatem, verum acta ad communitates [sc. *Hochgerichte*, not 'communes' or villages]. foederum separatim referuntur, et quod major horum pars statuerit, ratum est. Extrema etiam est provocatio a senatu ad communitates; et tum causae in singulis communitatibus proponuntur, et earum sententiae in scripta relatae colliguntur.

Sprecher¹⁰ is briefer as to the *Beitag*, for, after stating that it has not *plenam statuendi potestatem*, he adds only, *proposita enim et acta, recessibus comprehensa, si cujus momenti sint, ad communitates foederum separatim referuntur: quodque major harum pars statuerit, ratum est*. From the account given by Vulpus¹¹ it appears that the final clause of Simler's summary applies to the *Bundstag*, and as the word 'referendum' occurs in Vulpus' narrative, apparently for the first time, I copy his exact words as given by Herr Ganzoni (p. 15). Of the *Bundstag* he says, *segund cha orina vain, s' trametta pro'ls abscheids* (=recess of the diet) *allas drettüras, perchie tuott vain fatt ad referendum, e sco ils comüns chiatten sto restar*; and of the *Beitag*, *parcheus ed alcüns principals . . . ordainan que chi'ls para per boen . . . tuott ad referendum*. That is, everything resolved on by the *Bundstag* must be transmitted to the *Hochgerichte* in the *Abschied*, for everything is done *ad referendum*, and as the *Hochgerichte* decide, so the matter is settled: the chief men decree what seems to them good, but everything is done *ad referendum*.

Oddly enough, as Herr Ganzoni points out (p. 15), the Raetian and Swiss historians describe the Referendum much more fully than does the Raetian law itself; for, save a few enactments on the subject, it was not till 1794 that the whole system was elaborately set forth on paper, reformed and regulated. The rest of Herr Ganzoni's most interesting pamphlet is taken up with a most

⁸ Ganzoni, p. 21.

⁹ Elzevir edition, 1627, p. 426.

¹⁰ Elzevir edition of 1633, p. 243-4.

¹¹ *Historia Rhaetica*, written in Latin; he died 1706.

careful and thorough investigation into the working of the Referendum system in Raetia. Here it is possible to give but a brief summary of the chief results at which he arrives. By far the most important and detailed portion of his investigation is concerned with the Referendum as it existed while Graubünden was a sovereign free state, that is, until 1800, when it was reduced to a prefecture of the Helvetic Republic by the French military authorities.

The *Hochgerichte* are the sovereign units, and it is by their direction that the magistrates chosen by them send out to each *Hochgericht* a document enumerating the matters on which its decision is desired. Roughly speaking, any matter whatsoever is thus brought before them, the chief exceptions being (1) the rights of feudal lords outside the leagues, and of the members of the Leagues themselves, which formed part of what would now be called the 'written constitution;' and (2) certain judicial affairs which went on appeal to arbitrators, to the *Beitag*, to the *Bundstag*, or to that very peculiar institution the '*Strafgericht*,' which Herr Ganzoni describes (p. 17) as the *Hochgericht* under arms, exercising a sort of martial law in the case of great political offenders.

Among the ordinary *tractanda* are the setting up and controlling of certain officials, committees and 'bureaux,' all financial matters as well as ecclesiastical ones (great difficulties naturally arose on this point after the Reformation), and the rule of the subject bailiwicks in Lombardy. Foreign affairs too, the naming and reception of ambassadors, declaration of war or making peace, conclusion of treaties of every kind—all fell within the powers of the *Hochgerichte* and had to be settled by them by way of referendum. The answers sent in did not necessarily confine themselves to a bare yes or no, but accepted or rejected certain matters under conditions; and it would appear that new suggestions might be made, thus anticipating the right of 'Initiative' which exists in some Swiss cantons at present. In short the *Hochgerichte* exercised the sovereign right of saying what they pleased on almost any subject, and hence extreme difficulty was sometimes experienced in classifying the answers and reckoning up the votes, so that now and then a second document had to be sent to make sure that the first answer was rightly understood, or even to inquire what it really meant. Besides all the obvious drawbacks of this cumbrous though historically most interesting system, was the utter impossibility of concealing any state secret or delicate negotiations whatsoever, though probably this inconvenience was less felt then than it would be now, with the vastly improved means of rapid communication of every kind.

The old system came to an end in 1800, a little later than that of the old Swiss Confederation (1798). When in 1803, by Napoleon's

Act of Mediation, the Graubünden became a Swiss canton, and recovered part of its former liberties, the right of Referendum was among them. But it was beginning to assume its modern shape; the opinion of the voters was not asked on single matters, but they were required to accept or reject ready drawn bills submitted to them by the cantonal legislature now first set up; the voting however still taking place by *Hochgerichte*, and not *per capita*. In the Constitution of 1814 the number of subjects on which the people were consulted was larger; the voting was still by *Hochgerichte*, but for the first time a two-thirds majority was required for alterations in the cantonal constitution, as in the cantonal legislature an absolute majority of its members was required in any case.

In 1851 the time-honoured political units or *Hochgerichte* were swept away in favour of the larger and smaller administrative divisions of 'Bezirke' and 'Kreise,' and henceforth in Graubünden, 'Gemeinden' meant 'communes' or *Dorfschaften*, and not *Hochgerichte*. Accordingly the Cantonal Constitution of 1854, while retaining the Referendum and even increasing the number of subjects to which it applied, enacted that the voting should be *per capita*, and that an absolute majority of those voting should be required for the acceptance or rejection of a proposal. The Constitution of 1880 further increased the number of subjects to which the Referendum (of course, as in all these cases, in its obligatory form) applied, and introduced something very like the 'Initiative.'

Thus we see the truth of Herr Ganzoni's remark (quoted already) that the Referendum is the corner stone of every constitution that has obtained in Raetia (always excepting the miserable time between 1800 and 1803 when Graubünden was merely a geographical expression); and hence it is worth studying in that part of the world, for we can trace both its development and the change from the old form to the new.

In Graubünden (as to a lesser degree in the Vallais) the Referendum originally meant that though a small committee first of all met to discuss matters, they could not decide on them finally, but had to refer them to the real sovereign body, the *Zenden* or *Hochgerichte*. But as the idea of an 'envoy' passed into that of a 'deputy' (the modern notion of a 'mandate' is a return to the older system), so business came more and more to be transacted in the assemblies of duly elected representatives, and the power of 'parliaments' grew at the expense of that of the electors or members of those 'parliaments.' And so in the end the Referendum appears in a new shape no longer as a means whereby the sovereign legislates directly, but as a method of controlling and checking the impetuous career of the representatives elected by that sovereign. Thus the Referendum is at present a conservative institution, a real drag on the wheel: this has been found to be the case in Switzerland, and

this has been expressly alleged as the reason why the Referendum as to constitutional matters should not be introduced into England. Yet in one case at any rate it does exist in England in its older form and also acts as a drag. The Convocation of the University of Oxford is a primary democratic and (within its sphere) sovereign assembly; and it is not unfrequently called on to check the impetuosity of the Oxford Landrath or Beitag—say Congregation. To make the parallel complete, there should have been a time at which the colleges occupied the position and enjoyed the powers of Zenden and Hochgerichte. Is it too gross an abuse of the historical imagination to suggest that in one respect, and that by modern arrangements, they do fill such a position, namely, in the election of proctors—and is it too greatly daring to express a hope that the colleges will not share the fate of the institutions with which we have ventured to compare them?

W. A. B. COOLIDGE.

Louis de Geer

THE Dutch in the seventeenth century distinguished themselves in almost every field of human thought and activity. In the arts and sciences, in literature and learning, in statesmanship and diplomacy, in the conduct of war by sea and by land, they displayed the highest qualities; and yet at this very time they, if any nation, might truly and literally be described as a nation of shopkeepers. Probably of no other people could it ever have been said that among them 'it was unfashionable not to be a man of business.'¹ For commerce they were possessed with a veritable passion, an aptitude, which almost amounted to genius. Living in a country absolutely devoid of every natural advantage, the Hollanders had obtained at the close of the eighty years' war the practical control of wellnigh every branch of traffic in all parts of the globe, the carrying trade had become a monopoly in their hands,² and Amsterdam stood without a rival, as the exchange, warehouse, and market of the world.

It is not my purpose now to give an account, however brief, of the mercantile supremacy of Holland; but it sometimes happens that the salient characteristics of a community at some particular epoch and phase of its history are, as it were, embodied, set forth in some representative man. Such a man forms the subject of the present narrative. Louis de Geer was the typical merchant prince of Amsterdam in the palmiest days of Dutch commerce. Born at Liège, 17 Nov. 1585,³ he was not strictly speaking a Dutchman, either by birth or descent. The family of de Geer were a younger branch of the ancient and noble stock of Hamal, which already in the twelfth century had been long established in the country of Liège. About the year 1300 a certain Eustatius Hamal, to distinguish himself from an elder brother,

¹ Adam Smith, *Wealth of Nations*, i. 101, ed. Rogers.

² Sir W. Raleigh, some decades earlier, complains that 'the Low Countries have as many ships and vessels as eleven kingdoms of Christendom, let England be one.' The number of Dutch vessels employed in trade is given as 22,350, manned by 222,250 sailors. Berg, *De Nederlanden en het Hanseverbond*, p. 385.

³ Vondel, the first of Dutch poets (of Antwerp extraction), was born at Cologne on the same day.

adopted, from the name of his castle,⁴ the new patronymic of de Geer. At the time of the Reformation the representative of the family was Louis de Geer, lord of Gaillardmont, who became a zealous protestant, and being a man of great wealth and possessions, he was at once regarded with much suspicion and hostility by the authorities. The fate of others taught him that he could expect but little mercy, and he wisely resolved to escape betimes from a position that was both embarrassing and perilous. Quietly and with no little skill he set about his preparations. The value of all his property that could be disposed of, partly through a secret understanding with his catholic kinsmen, the Hamals, was transferred by bills of exchange to Amsterdam, and then, as a first place of refuge, he betook himself, with his son concealed in a basket beneath his carriage, to Aachen, leaving his wife and younger children for a time at Liège. A short residence at Aachen quickly convinced him that here he could not be in security. He wished to go to Holland. But how effect his purpose? To be discovered was to bring himself and his family within the claws of the Inquisition, and then his fate was sealed.

A visit to Maestricht on business unexpectedly offered to him a hazardous, but still possible, means of transit across the frontier. He saw at one of the wharves a vessel laden with peat for Rotterdam. Taking the skipper aside, and finding by means of adroit questions that he was a trustworthy man, de Geer boldly asked him whether for a sufficient reward he would be willing to convey himself and his family with him down the Maas, concealed beneath the peat turf. The man consented, and de Geer at once proceeded to put his project in execution. Returning to Liège, he gave out that important affairs required his presence at Maestricht for a few weeks, and accordingly set out openly, accompanied by his wife,⁵ six daughters, and two sons, leaving all his servants, but one, and his furniture in his house to allay any suspicion as to his ulterior intentions. No difficulties were raised. The journey to Maestricht was accomplished without let or hindrance, their *Palinurus*⁶ was found waiting at his post, and at nightfall the party betook themselves to the vessel, where they were, in accordance with the plan, stowed away in a small open space in the hold, carefully covered over with turf. This achieved, the boat left the wharf, and slowly began to descend the stream with its living freight. A letter of de Geer describes the terrible anxiety and suspense of the journey, and the intense feeling of relief which thrilled through the hearts of all, when the welcome voice of the skipper assured them, 'All is

⁴ It stood on the banks of the Geer, a small stream that falls into the Meuse at Maestricht.

⁵ Her name was Johanna de Neille.

⁶ *Palinurum suum loco extra portum, de quo conventum erat, invenit.* Old narrative in Wetterstedt's *Commentarii de gente de Geeriana*. See de Geer's *L. de Geer*, App. xxv.

well, we are in Holland.' As soon as they had merged from their hiding-place, they all fell down on their knees at the bidding of de Geer, who in a loud voice returned thanks to God for their merciful preservation from so great a danger.

The date of this flight was the year 1595; it was a time when many refugees, among them the Vondel family from Cologne, were seeking the friendly shelter of the United Provinces. Louis de Geer, being aware that a number of his own countrymen had previously settled at Dordrecht, chose this town as his new home. Here he lived in unostentatious retirement, under the name of Mijnheer de Gaillardmont. Only just before his death, which took place on 29 Oct. 1602, did he venture openly to assume his proper family name of de Geer.

On the decease of his father the eldest son, also Louis de Geer,⁷ was not yet fifteen years of age. On his mother then, a woman well qualified for the task by her discretion, courage, and sincerely religious character, devolved the care of his education and training for life. In 1605 we find that he was sent to Roanne to complete his studies, and that in 1608, being then twenty years of age, he was once more residing in the maternal home. A life of idleness was not however at all in accordance with the energetic and strenuous temperament of the young man. He determined to win for himself a position and an independence in the country of his adoption, and he did not think it inconsistent with his ancient and patrician ancestry to choose the pursuit of trade. Possibly a romantic attachment, which he formed at this time, may have urged him to go out into the world and seek his fortune. The old record thus tells the tale.

As de Geer was one day passing along one of the streets of Dordrecht, he chanced to see a young girl standing at the door of her father's house. A sudden and inexplicable presentiment came over him, that he beheld before him his future wife,⁸ and when he asked her who she was the maiden blushing replied that her name was Adrienne. To a further inquiry as to her parents, she hastily answered, 'Laurence Gérard is my father, my mother Oda de la Fosse,' and then abruptly closing the door she retreated into the house and informed her parents of what had occurred. It was no fleeting caprice. The love-struck questioner was rejoiced to find that the fair Adrienne was the descendant of a noble and

⁷ The best life of de Geer is by one of his descendants, J. W. L. de Geer; it bears the title *Lodewijk de Geer, eene bijdrage tot de handelsgeschiedenis van Amsterdam* (3rd ed. 1852), and contains an ample store of suggestive notes and appendices. Pierre de Witt's *Lodewijk de Geer, een patricier in de xvii^e eeuw* (vertaald Kolléwijn, 1885) in the main follows the narrative of de Geer, but is fuller in his account of the merchant's youth.

⁸ *Quasi attonitus, ut ipse saepe narravit, et nescio quo mentis presagio affectus, hanc aliquando conjugem suam fore subito sibi ipse predixit.*

wealthy Liège family, which like his own had been expelled from their country on religious grounds, and though for the time he does not seem to have seriously pursued his advances, the singular feelings which his adventure had inspired remained indelibly impressed upon his mind.⁹ Possibly Adrienne's parents may not have thought it wise to encourage such juvenile love-making.

At any rate Louis once more quitted Dordrecht, and on 17 Aug. 1608 arrived at La Rochelle 'to learn business.' No words so well as his own can describe the character of the man, and the spirit in which he entered into life. 'When I,' he wrote, 'in 1608, young and still unmarried, was at La Rochelle, and began there to transact business, I betook myself to God, and besought him to give me the help of his Holy Spirit, to guard me against bad companionship and all deceit, to send me no superfluous riches, which should cause me to forget the Lord, but above all to fill me with his fear and with his love. With this aim I have made a vow to God to devote to him a tithe of all that he shall permit me to gain.'¹⁰ The principles of conduct here laid down were the fruit of no mere passing religious enthusiasm, they were deep-rooted in the man's very being, and were the ruling principles of the whole of his life.

For some two years and a half Louis de Geer resided in the famous protestant stronghold, and here doubtless the stern creed of Calvin, for the sake of which his parents had forsaken their home, and in the doctrines of which he had been instructed from a child, gained deeper and more complete possession of his soul. Unlike Vondel and others of his contemporaries, who in the days of the catholic revival either abandoned or modified the rigour of their reformed creed, he never swerved from his parents' faith. Yet he was no bigot. The sequel will abundantly show how sincere, and at the same time how broad and tolerant, was the religious groundwork of his character.

What was the exact nature of his business at La Rochelle we are not informed, but, whatever it was, he evidently employed his time well, and fitted himself to become thoroughly proficient. On his return to his widowed mother in January 1611, he appears to have seized the first opportunity to renew his acquaintance with the young lady who had three years before aroused his boyish admiration. Their inclination for each other, which had survived so long an absence, soon ripened into passion, and before many months had passed Louis de Geer had won the consent of her parents to his betrothal¹¹ to Adrienne Gérard. Their marriage,

⁹ *Casum tam singularem ut divinitus sibi oblatum, servabat alta mente repostum.*

¹⁰ De Witt's *Lodewijk de Geer*, p. 13.

¹¹ The betrothal ring still exists, and is in the possession of one of their descendants.

which took place at Dordrecht on 27 May 1612, was, in the truest sense of the words, as we shall see later, a union of hearts. The mysterious sense of affinity which had in the first instance drawn them together, proved to be no illusion of a young man's heated fancy, but the presage of a great reality.

De Geer after his marriage settled down for a time at Dordrecht. But this town, though an important mart, and so soon to give its name to the great synod which 'made hell to tremble,' was too confined a sphere for his already ambitious and far-reaching schemes. The branch of traffic, which he had chosen for himself, was one of promise in such an age of conflict. He had become a general merchant in weapons and all manner of warlike implements. For the moment there was a lull in the terrible struggle with Spain, for the twelve years' truce had not yet run out half its course. But it was the lull before the storm, and already the air was full of mutterings and forebodings of the coming thirty years' war. Never was a time when the trade in arms was likely to be more lucrative or more extensive. But in order to command the market, he must have his warehouses on the spot which was in closest and most constant communication with foreign, and more especially with the Baltic ports. Accordingly in 1615 he removed to Amsterdam. At this time the great city on the Ij, already rich, busy, and enterprising beyond all its rivals, was yearly becoming richer and busier, and yet more indefatigable in its enterprise. In 1612 its population was reckoned at 105,000; in the course of the next fifty years it doubled itself. Many accounts have been left by visitors to the thriving Dutch capital, expressive of their wonder and admiration at the opulence and splendour of its stately streets and public buildings, and even more at the long line of its wharves thronged with shipping, at the universal industry of its inhabitants, and the ceaseless bustle of traffic, which seemed to pervade the very air of the place. 'In this great town where I am,' wrote Descartes to his friend Balzac in 1632, 'as there is no one but myself who is not engaged in merchandise, everybody is so engrossed in his business, that I might live here all my life without attracting the notice of a single person.' Such a statement was not literally correct, for the famous Frenchman might have found in the Amsterdam of that date no small band of men like-minded with himself, but it nevertheless describes the overwhelming impression made upon his mind of a city wholly given over to money-making and trade.

It was natural that a man of the stamp of de Geer should find it essential to transplant his growing business to the place which was rapidly becoming the emporium of the world, and whose exchange already regulated all the markets of Europe.¹² He was but twenty-eight years of age, but his assiduity and aptitude for affairs

¹² Adam Smith, *Wealth of Nations*, ii. 27, 52-61, 215.

had already gained for him a foremost position among the trading community, and no inconsiderable wealth. He did not come to seek but to advance his fortunes. His possession at this time of ample means is shown by his purchase of a large house in the quarter specially affected by the city magnates. It stands in the Keizersgracht, one of those sweeping semicircular streets characteristic of Amsterdam, the tall concentric lines of houses parted from one another by canals fringed with trees, and intersected by other streets, with their waterways radiating from the Dam, that focus and life-centre of the strange, amphibious town.¹³ This house, rebuilt afterwards by de Geer in 1622, and called *'t Huys met de hoofden*,¹⁴ exists to this day, and on the mantelpiece of one of its rooms may be seen the coats of arms of the de Geers and the Gérards.

In the original choice of his business de Geer had been largely influenced by the advice and example of his brother-in-law, Elias Trip,¹⁵ who had himself removed from Dordrecht to Amsterdam, and had prospered greatly as a trader in iron and copper goods, and more especially in ordnance and firearms. And not merely this; a series of marriages brought about a very close relationship between the families of Trip and de Geer, and led to their association in many undertakings, and to their feeling a mutual interest in each other's success. The two firms were indeed never united by any legal bond, but their known solidarity strengthened their credit and prestige, and gave to each an added weight in the eyes of the world.

Of all the branches of foreign commerce, which centred in Amsterdam, the Baltic trade was, if not the greatest in amount, at least the oldest and the most necessary to the welfare of the country. Once almost monopolised by the German Hanse towns, the Netherlanders had gradually obtained a greater and greater share of the 'eastern traffic,'¹⁶ as it was called, until all shipping but their own had practically ceased to frequent the Baltic ports.¹⁷ The Hanseatic league touched the zenith of its greatness in the successful war waged against Waldemar III of Denmark in 1370; after this they had to struggle against Dutch competition in their own waters

¹³ Amsterdam was built upon piles in the midst of a morass. The Town Hall stood upon 13,659 Norwegian pine-trunks.

¹⁴ 'The house with the heads,' from certain stone heads placed between the first-floor windows.

¹⁵ Another brother, Jacobus Trip, also married a sister of de Geer. Their sons Louis and Henry were the builders of the famous Trippenhuys, till lately the museum of Dutch art. Henry married a niece, and his cousin Adrian Trip a daughter of de Geer. The Trips became manufacturers as well as merchants, and in 1638 their factories were shown to Marie de Medicis as one of the sights of Amsterdam.

¹⁶ *Oosterse negotie*.

¹⁷ Berg, *De Nederlanden en de Hanseverbond*, *passim*. Luzac, *Holland's Rijkdom*, i. 136-138.

until at last by their short-sighted policy during the thirty years' war they entirely succumbed before their rivals.¹⁸ In 1645, out of 1035 vessels which passed through the Sound between 19 June and 16 Nov., all but 49 had sailed from Dutch ports, and by far the larger portion of these from Amsterdam.¹⁹ Such a state of things naturally brought the United Provinces into the closest commercial relations with the two Scandinavian kingdoms. These powers, however, were in almost constant antagonism to each other, for each aimed at supremacy over the same waters, and they were moreover divided by the bitter memories of an almost secular feud. The Dutch therefore were compelled more or less to take sides, and their sympathies were generally with the Swedes. The Danish monarch controlled the passage of the Sound, and derived a large portion of his income from the tolls which he levied upon passing vessels. These tolls fell chiefly upon the Dutch merchants, and were a heavy tax upon their profits and a serious hindrance to trade. Continual friction was the result, and negotiations, which, as a rule, led to nothing.

At the time when Louis de Geer settled at Amsterdam, both Sweden and Denmark were ruled by princes of exceptional merit; and, as both strove by all the means in their power to improve the resources and extend the frontiers of their respective realms, they came into frequent collision. 'I have a higher opinion,' said Gustavus Adolphus, 'of the Danish king than of any other prince in Europe, but,' he added, 'I wish we were not such near neighbours.'²⁰ From the commencement of his reign, following the policy of his father before him, Gustavus Adolphus had shown a keen desire to secure a good understanding with the Dutch, and to use their skill and industry in opening out the trade of Sweden. In this endeavour he was aided unintentionally by the arbitrary and irritating conduct of King Christian in the enforcement of the tolls, and his friendly advances met with a ready reception. Among other leading Dutchmen with whom the Swedish monarch was thus brought into contact was Louis de Geer. The warrior king was in constant need of arms and munition for his campaigns; moreover, in his mines he possessed abundant materials, but he had no ready money either to work the ore or to forge the weapons. In the merchant he was fortunate enough to find just the man who was both able and willing to help him in his difficulties, and to supply all his requirements.

But we must return upon our steps a little, and show how the two men first became acquainted. In the very year of de Geer's settlement at Amsterdam, the states-general, being desirous of

¹⁸ Koenen, *Voorl. over ned. Handel*, p. 51.

¹⁹ Kernkamp, *De Sleutels van de Sont*, pp. 259, 290.

²⁰ Fryxell, *Gustaff II Adolf*, p. 24: *jag önsker blott att vi icke vore så nära grannar.*

making a great purchase of ordnance for the service of the admiralty, selected him as their agent, and despatched him to Sweden with letters of introduction to the king. The commission was discharged with punctuality and promptitude, so much indeed to the satisfaction of his employers, that de Geer appears ever afterwards to have retained the confidence and esteem of their high mightinesses. His name frequently occurs in the records of their discussions, and he was entrusted by them from time to time with various important commissions. He even raised and equipped bodies of troops for their service, and not only so, but advanced the money wherewith to pay them. There seemed, indeed, no limit to the enterprise and ambitious scale of the man's undertakings. His operations stretched out beyond the boundaries of the Provinces. Mansfeld, Christian of Brunswick, and the king of Denmark, all applied to him for assistance in the enlisting and arming of troops; and in 1617, at the recommendation of the states-general, he raised in the Low Countries a regiment of infantry, fully accoutred, to serve under the flag of the Venetian republic.

De Geer had, in fact, while still a young man, attained a position of European repute, and had in a few years largely contributed to making Amsterdam, in an age of warfare, the staple market of arms. It was no slight achievement, and the authorities were fully alive to the advantage which was thereby conferred upon the country, and with wise foresight the states-general extended to de Geer their special patronage, and lent him every possible facility for the transport and delivery of his wares.

It was just at this time, when de Geer, far from being satisfied with the success which had already attended his efforts, was eagerly on the watch for every opportunity of extending his already widespread business operations, that a new field of activity presented itself before him. An embassy was sent in 1617 by Gustavus Adolphus to Holland, partly to gain the good will of the states-general, and still more for the purpose of raising a loan, to enable him to pay for ships and troops for his campaign in Livonia. It was successful in both its objects, and the ambassador, John Skytte, obtained leave to raise in the United Provinces the money required by the king upon the security of the produce of the royal Swedish copper mines. The principal contributor was Louis de Geer. The motives which prompted him were no doubt of a mixed character, sentimental quite as much as financial. He felt the strongest religious and political sympathy with the heroic king, who was already regarded as the champion of the protestant cause; but at the same time, with his usual acumen, he perceived that much might be made for mercantile purposes of his newly acquired lien upon the mines of Sweden.

He had probably been long familiar with the fact that the

northern realm abounded in metal ores. The silver mines of Sala, and the copper mines of Fahlen, had indeed been long celebrated for their richness, and furnished the greater part of the revenues of the crown. But the iron mines, which from the quality and quantity of the ore were the most valuable of all, had been but imperfectly developed. Till the time of Charles IX they were almost neglected, and before 1604, when it was forbidden by decree, all the raw iron was exported to Germany to be worked. On Gustavus Adolphus' accession, attention was at once directed to the improvement of this, as of other branches of national trade and industry, and German workmen were introduced and settled at Norköping to erect furnaces and foundries, and to instruct the Swedes in the art of forging in the German fashion.²¹

Now de Geer, as a native of Liège, had from a boy been familiar with the processes of the iron industry; and he knew his countrymen were in their handicraft the most skilful to be found. It occurred to him, then, that the exploitation of the Swedish mines might afford him an excellent investment for his growing capital. He believed that in his hands, and by the employment of Walloon workmen, he might with great advantage and profit to himself become manufacturer as well as merchant. It was, moreover, easy for him to obtain all the information he required before risking his fortune on so great a venture.

A certain Gillis de Besche, like the father and father-in-law of de Geer, of noble Liège extraction and a protestant, had been, like them, compelled by religious persecution to fly with his family from his country. He found an asylum in Sweden.²² Both he himself and his sons appear to have been skilled in various branches of industry, and hence were well received, and permitted to settle in the country by Charles IX. The eldest son Gerard was appointed architect to the king, and in 1608 was entrusted with the building of the two great towers of Upsala cathedral.²³ In consequence of a journey to the Netherlands in 1615 his attention was directed to the possibilities of mining, and on his return he in association with his brother William, who had made a special study of the methods of metal working, took on lease the iron mines of Formark, which at a later period he bought. To his countryman William de Besche de Geer now turned in the

²¹ Cronholm, *Sveriges Historia under Gustaf II Adolfs regering*, iv. 68, 76, 299, 377. Buren, *Tankar öfwer Landt-Bruket, Bergsrörelsen, Manufactures och Handler, uti det förre Gustavianske Tidehvarfwet med tillämpadt äreminne öfwer Stamsfadren Herr Louis de Geer, såsom Svenske Nöringarnes mäktige Befordrare uti förre Seculo*. The last is a prize essay on de Geer's Swedish career, written in 1783. A prize was also offered by the Swedish Academy for an essay on Louis de Geer in 1829, which was gained by its secretary, Bishop Franzen, and may be found in the transactions of the Academy.

²² On the de Besche family see de Geer's *Lodewijk de Geer*. Appendix x'i.

²³ Afterwards destroyed by fire.

full confidence of obtaining trustworthy answers to his inquiries. He wished to know, first, whether it were prudent and advisable to embark his money in Swedish mining at all; and secondly, if so, whether there were any particular spot at once rich in ore and with facilities for working and development. The reply of de Besche was decided and favourable on both points. De Geer, therefore, without further hesitation commissioned him to act as his agent, in procuring from the king the lease of the mine which he had recommended. Gustavus Adolphus received the proposal favourably, and a covenant was signed 12 Oct. 1619, by which the domain of Finspong was leased to de Geer for the annual sum of 5,675 rix-dalers.²⁴ Finspong is situated in east Gothland, in one of the most picturesque parts of Sweden, in a country abounding in wood and in streams of falling water. Here then ready to hand lay the fuel and the motive power, while, still further to enhance the value of the tract as a manufacturing centre, a navigable stream gave admirable facilities for transport to and from the port of Norköping.

Scarcely had de Geer entered into possession of the mines, when he commenced operations on the largest scale. Twelve forges with six hammers and a double smelting furnace were quickly erected. Workmen were imported from Germany, and warehouses built at Norköping, and so strenuous were the efforts to push on the work, and so well organised and thorough was the system adopted, that in a very short space of time the factories of Finspong were enabled to supply the government with all the artillery and other munitions of war that they required. Gustavus Adolphus on his part, feeling how great an advantage accrued to the state from such a development of its natural resources, was not only ready, but eager, to free the foreign ironmasters from all hurtful restrictions upon their trade. By a royal decree, dated 20 July, 1619, he granted to de Geer and de Besche freedom from all dues upon the transport of their goods, and by a series of other decrees²⁵ at different intervals during the following decade conferred on them many and special privileges, as marks of his favour and protection.

During all these years de Besche was the active superintendent of the Swedish works. De Geer had complete confidence in him, and preferred himself to remain at Amsterdam, now become the chief entrepôt of the iron trade, surveying and controlling from his counting-house with the vigilant and practised skill of a master the entire field of operations, commercial and financial, in which he was engaged. With Gustavus Adolphus he was in frequent

²⁴ On this subject Cronholm in his *Gustaf II Adolfs regering*, iv. 348, thus writes: *Vi kunna icke här förbigå den utmärkte man, som på en ny och säkrare grundval lyftade och utvidgade jernhandteringen, så att detta yrke blef den rikasta källan för nationalvälståndet, sedan bearbetningen hade erhållit en utsträckning, som gjorde jernet till Sverige förnämsta exportvara.*

²⁵ 8 Apr. 1621; 27 Aug. 1623; 2 Oct. 1624; 27 Apr. 1627; 18 Jan. 1629.

communication, and not only supplied him with all the requisites for his army and camp, but at times was commissioned to raise troops for the Swedish service. In 1626 the king gave further proof of his appreciation of the merchant, who had become so indispensable to him, by appointing him acting manager of the copper company, which had been formed under the royal auspices four years before, and in which de Geer had placed a considerable sum of money.

It has already been mentioned that the produce of these copper mines was the most lucrative possession of the crown of Sweden. In times of pressure they furnished the royal exchequer with a ready means either of raising loans on mortgage, or still more frequently, in default of specie, of liquidating the claims of creditors by an equivalent of copper. In his many transactions with the king large quantities of this metal had thus found their way from Sweden to de Geer, and had gradually led him to take up the trade in copper, as a supplementary branch of merchandise. The offer therefore of Gustavus was in every way advantageous to him, and he at once, on accepting the post, entered upon his new duties with characteristic vigour and thoroughness. New and improved forges and factories were built at Norköping, Nyköping, and Danwich. The output was largely increased, while at the same time the processes were simplified and cheapened by the use of water-power, and the application of the latest scientific methods.

Such a post seemed almost to necessitate his presence in Sweden. Already in 1625 the king in a letter to de Besche had offered to confer the rights of Swedish citizenship on de Geer, if he would but consent to reside in the land, where he had such great interests at stake, and two years later he took a further step. He sent to the Dutch merchant a letter of naturalisation, couched in the most flattering terms :—

Having seen and commended [so it runs] the honourable integrity both of life and manners, as well as the singular aptitude and uncommon experience in mercantile affairs of Louis de Geer, and above all recalling to our memory all the many and great services, which for many years already he has not only rendered, but has undertaken in the future to render to our kingdom, we admit him into the number of our citizens.

Who could refuse to avail himself of an offer so graciously made, and so valuable in itself? For although special privileges had been accorded to him, de Geer still remained a foreigner in a land where, despite of the enlightened policy of Gustavus Adolphus, serious impediments were still placed in the way of free intercourse with alien traders.²⁶ As a Swedish subject, and only as

²⁶ On this see Vreede, *Nederlanden Zweden in staatkundige betrekking*, pp. 166–170.

a Swedish subject, could he enjoy those rights of monopoly, which the favour of the king was willing to bestow upon him, and which were in that age the accepted principles of political economy.²⁷

De Geer determined then to come to Sweden, and to leave for a time the management of his affairs at Amsterdam in other hands. He took up his abode at Norköping, and built a house there, which he made his headquarters during a residence of three years. This was his longest continuous sojourn in the northern realm, which he never regarded as his home. The 'house with the heads' on the Keizersgracht at Amsterdam was ever the spot round which his affections were entwined, and which to him was 'home' to his life's end.

In the year preceding this de Geer had taken on lease from the crown yet three other iron mines at Leufsta, Gimo, and Osterby in Upland. Such manifold undertakings would have crushed a less courageous and clear-headed man. For de Geer had many rivals, and as many enemies as rivals. The native Swedes were jealous of the intruder, the Lübeck merchants struggled hard to retain their hold upon a market that had been once their own, and his own compatriots of the southern Netherlands saw with resentment their superior methods of working transferred to Sweden, and their old established trade threatened by the upstart factories of Norköping. For de Geer had boldly transplanted a body of Walloon artisans to Sweden, having previously obtained from the king permission for them not merely to settle, but to worship according to their Calvinistic faith.²⁸ In his contest with his enemies and competitors the Dutch merchant could always implicitly rely upon the support of two all-powerful friends, the king of Sweden and the states-general of the United Provinces. The latter, as has already been shown, were his early patrons, and they befriended him to the close of his career. With the great Gustavus his relations were confidential and almost intimate. He assisted him in his efforts to give an impulse to Swedish commerce by the erection of trading companies on the lines of the famous Dutch East and West India Companies, and by raising for him through these companies the loans which he needed for his military expeditions. De Geer himself appears to have advanced him in 1628 the sum of 50,000 rixdalers, and shortly afterwards another loan of 32,000. No cloud seems ever to have arisen between the men, as not unfrequently happens between debtor and creditor, more especially when one of them is a king,

²⁷ Mr. F. W. Bain (*Christina, Queen of Sweden*, p. 147) remarks: 'Monopolies and the system of guilds were the basis of Swedish economical principles; a man might make himself a king in Sweden,' said Klas Fleming, 'but he could not make himself a tailor.'

²⁸ For long the descendants of these settlers retained their Walloon tongue in the midst of a foreign nation, and to this day the names of families living around Danemora betray their Netherland origin.

and the other a foreign tradesman. Each had confidence in the other, and no greater proof of the Swedish hero's esteem for the merchant is needed than the fact that, in the midst of his dazzling career of victory through Germany, the king sent for de Geer to visit him in his camp, in order to ask his counsel on different matters of business. They met at Kitzingen in the spring of 1632, and there conferred for the last time. De Geer made his way back by the Rhine, not without considerable personal risk, to Amsterdam, and in a few short months Gustavus was at Lützen to meet his tragic fate.

The death of the king however effected no change in de Geer's position in Sweden. In Axel Oxenstierna, who during the long minority of the young queen was destined to occupy so prominent a place not merely in the Swedish regency but in the councils of Europe, he found both a willing supporter and a warm friend. Oxenstierna, unlike most of his contemporaries, held most liberal views on the subject of trade.²⁹ He knew that the weakness of Sweden lay in her poverty. A large part of her soil was barren; her harbours sealed by ice for many months in the year; her one source of wealth the buried treasures of her mines, difficult of access and costly to realise. He saw, even more clearly than his master before him, that for the full development of the mining industry foreign capital and foreign skill were essential. In fostering the undertakings of de Geer he had to run counter to many a narrow national prejudice, but, as the result proved, he was acting the part of a sagacious and truly patriotic statesman.

It has been already stated that, after his interview with Gustavus Adolphus at Kitzingen, de Geer returned to Amsterdam. About a year later his wife died. The union between him and Adrienne Gérard had been one of unmixed happiness. On the day of his marriage he had made the following entry in his memorandum book. 'In the name of God I have been wedded, 27 May 1612, to Adrienne Gérard my wife. May the Lord bless us through his Holy Spirit, and make us to live in love and unity together to his honour and our weal. Amen.' The bonds of strong affection were cemented, as the years passed on, by the birth of a numerous family. Deeply and genuinely religious, they welcomed with joy each little one that 'God sent them,' and neither of them ever lost amidst increasing riches and good fortune their attachment, above all other things, to the quiet and unostentatious home, where they lived in affluence indeed, but with unaffected simplicity.

In the autumn of 1634, being then far advanced in pregnancy, and for some time in failing health, a feeling that she would not survive the birth of the infant gained firm possession of the mind

²⁹ Bain, *Christina, Queen of Sweden*, pp. 28, 29.

of Adrienne. Yet she never allowed herself to become depressed, but contentedly, and even cheerfully, prepared herself for the worst. Quietly she talked over with her husband all that she wished to be done when she should be no more, and attempted by anticipation to alleviate his grief at the inevitable separation that was to come. 'I shall leave behind me everything in order,' she said, 'that you may have no trouble.' She was not deceived; and though she gave birth to a living son, she had not strength to rally. She kissed her heart-broken husband, as he prayed her for the children's sake not to give up hopes of life. 'I have,' she replied, 'commended them to God, and rest assured that He will protect them. As to their earthly welfare I confide in you; you must henceforth be father and mother too.' On 21 December, 'the Friday before Christmas at ten o'clock in the morning,' she passed away. In a letter to his children de Geer gives pathetic expression to his immense sorrow, and sets before them as a model his own experience of happy married life.

Our hearts [he writes] formed but one heart, our two wills but one will, our inclinations, thoughts, wishes, acts, dispositions, were as if they proceeded from a single breast. A single glance sufficed to calm our sorrows. As soon as we had imparted our troubles the one to the other, we felt them lightened. We had no thoughts that we did not share together. For two and twenty years and a half we have lived in the happiest bonds of marriage union, and, though many storms have passed over our heads, it seems as short as if it were but a beginning still. And when we by chance, as sometimes happened, spoke about death, each one wished to precede the other. She urged the great love she bore me, and the burden of managing our affairs; but I was zealous not to be outdone in love, and each brought forward arguments and reasons to support their contention. After such a strife of love, which not infrequently we had, in softened mood we approached God with the prayer that, if it were good for us, He would leave us yet some years together, that we might be able to bring up our children in his fear. But although she believed that I should die before her, yet was she far more prepared and fitter than I, for her heart was more upright than mine. . . . God hath thus been gracious to her and heard her prayers. He hath exalted her to a more glorious existence than that of this world. She tastes of the eternal bliss that knows no cares.³¹

Of the sixteen children whom Adrienne had borne to de Geer, six sons and seven daughters survived her. The two eldest, Laurence and Louis, already in their twenty-first and nineteenth years respectively, became, at a later time, the heads of the Dutch and Swedish branches of the family. Of the daughters, all of whom married, Adrienne became the wife of Adrian Trip, her first cousin; Ida, of Charles de Besche, the son of her father's trusted friend and associate.

³¹ De Witt, *Lodewijk de Geer*, pp. 16, 17.

The death of his wife and the care of his children did not cause the energies of de Geer to slacken. To shirk the duties that lay before him would have seemed to one of his profoundly religious temperament at once a slight to the memory of the departed, and a want of submission to and trust in the Divine Providence. In 1635 we find him once more at Norköping. The place under his fostering care had now become the first seaport and chief industrial centre of Sweden, and was rapidly growing in population and importance. The two years which he now spent there were marked, if possible, by still greater activity than before in the developing of his various mines and factories, in the leasing of new domains in different parts of the country, and in the opening out of fresh branches of handicraft. One manufactory was erected for the making of steel and iron wire, another for nails, spikes, and horse-shoes, each under the superintendence of skilled Walloon workmen, and furnished with all the latest and most approved machinery and contrivances for expediting production with the greatest economy of labour.

In July 1637 de Geer returned again to Amsterdam for a sojourn of three years. During that time nothing of importance appears to have disturbed the even tenor of his prosperous life. His sons were now able to relieve him of much of the drudgery of business detail, and fortified by the alliance and support of the great houses of Trip at Amsterdam, and of de Besche in Sweden, he knew that his position was unassailable.

In 1640 the privileges accorded to de Geer for the casting of ordnance by the Swedish regency required renewal. One of the regents, Admiral Gyllenhielm,³² had himself erected a foundry for cannon, and he seized the opportunity to write to de Geer, '*mon bon ami bien respecté*,' and propose, as a return for his good services, that they should enter into partnership.³³ The answer of the merchant is not known, but he visited Sweden immediately afterwards, and would not be likely to decline a proposal which offered him so many advantages. Be this as it may, what is quite certain is, that de Geer did actually secure the association in two of his undertakings of a member of the council of regency, even more powerful than his 'good friend' Admiral Gyllenhielm. As has been already stated, the great chancellor himself, always deeply interested in commercial matters, had from their first acquaintance maintained the friendliest relations with de Geer, whose great capacity he, no mean judge of men, both recognised and admired. Among the enterprises which

³² Half-brother to Gustavus Adolphus, a brave soldier and accomplished man of letters.

³³ The whole letter, which is couched in the most friendly terms, is given by de Geer, *Lodewijk de Geer*. Appendix xix.

were originated by the Dutch merchant were two companies, the one for building ships at Werterdyk, the other a Suedo-Dutch trading company to the West Coast of Africa.³⁴ In both of these Oxenstierna took shares. The bond between the two men was rendered yet closer by the marriage of one of de Geer's granddaughters with Ake Oxenstierna, the statesman's nephew.

In 1640 de Geer returned to Sweden with a special object. In Sweden at this period the nobles were all-powerful. Their privileges were enormous.

By the form of government, the whole administration of the state was placed in their hands. They could only be judged by their peers; their property could not pass, by sale or otherwise, into the hands of the crown; they were untaxed, no taxes could even be imposed on the peasants in their domains without their consent.

And this at a time when the whole resources of the state were strained to exhaustion to supply the demands of a long and costly war. But so far from lending their aid to the distressed finances of the country,

they took advantage of the necessities of the state to purchase often for merely nominal values those crown lands which the king (and the regency) had to sell to get money, for only the nobility might purchase these lands, and thus having no competitors they bought them frequently for next to nothing.³⁵

De Geer, then, as a reward for his many services, applied to the regents for admission into the ranks of the Swedish nobility. He himself, though contented with, nay proud of his position as a plain merchant-citizen of Amsterdam, was well aware of the many benefits which would accrue to him, and above all to his descendants, as a member of this privileged caste. He wished to be enabled to become the purchaser of the domains which he had hitherto only been able to lease from the crown. He had vastly increased their value, and he desired to hold them on no insecure tenure, and to have the power to transmit them to his sons. Being by birth a noble of ancient lineage, the dignity in itself was not an object of ambition to him.

His request was granted. On 4 Aug. 1641 a patent of nobility, signed by the five regents, was conferred upon him and his heirs. Shortly afterwards he took his seat in the house of nobles, and purchased a second Swedish residence in Stockholm. His next step was to acquire, as his own, his mines and factories at Finspong and East Gothland, and two years later, Osterby, Gimo, and Leufsta in

³⁴ A cape on the west coast of Morocco between 30° and 31° was named by one of the expeditions of this company Cape de Geer. It still retains the name.

³⁵ Bain, *Christina, Queen of Sweden*, p. 127.

Upland, together with other properties. For these he paid down the large price of 123,722 rixdalers, and became henceforth one of the largest land proprietors in the kingdom. 'His possessions,' says a Swedish writer,³⁶ 'surpassed in extent the dominions of many small German princes.' The facility with which de Geer obtained such valuable and important concessions from the Swedish government, was not due, however, entirely to gratitude. The grant of the patent and the prerogatives attached to it served as part payment for the large loans advanced to the Swedish exchequer by de Geer, and was a convenient way of liquidating claims which pressed heavily on the impoverished finances of the country.

Events soon occurred which enabled the newly made noble on his part to show that he was not unmindful of the favours he had received. Troubles were brewing between Denmark and Sweden, and also between Denmark and the Netherlands, and in the issue de Geer had an opportunity of rendering great public services to both the lands of which he was an adopted citizen.

For many years Christian IV had looked with jealous eyes and scarcely veiled hostility upon the ever-growing influence of Sweden. For half a century³⁷ he had been continually engaged in wise and successful efforts to improve the trade and general prosperity of his country, and now in his old age he had lived to see his hated Scandinavian rival, the arbiter of Europe, and the entire Baltic trade in the hands of the Hollanders. Peace had indeed subsisted between Sweden and Denmark for thirty years, but it had always been of the nature of an armed truce, maintained through motives of expediency, and liable at any moment to sudden interruption. There can be but little question that had the Danish king at any time between 1613 and 1643 found a favourable occasion for declaring war upon Sweden, he would only too gladly have availed himself of it.

With the United Provinces he had likewise been involved during his whole reign in constant difficulties. As has been already pointed out, the Sound tolls, harshly and arbitrarily levied, were a source of never-failing friction and perennial disagreement between the two governments. Christian, moreover, since 1638 had inclined openly to the side of the house of Habsburg, and, though he did not actually assist them with his arms, showed clearly that his sympathies were with Spain and Austria, the sworn foes of Holland and Sweden.

This attitude of his led in 1640 to the conclusion of a treaty between the states-general and the Swedish regency, 'for securing the freedom and protection of shipping and commerce in the Baltic

³⁶ Buren, *Tankar*, ii. 20.

³⁷ Christian IV, born in 1577, became king of Denmark in 1593.

and North Seas,'³⁸ and one of the secret articles gave permission to Sweden to buy or hire ships and ammunition, and to enlist crews in the Netherlands. In 1643 the seizure of eight Swedish ships³⁹ by the Danish custom-house officials furnished the pretext for a very strong-handed proceeding on the part of Queen Christina's government.⁴⁰

Oxenstierna was far too shrewd and wary a statesman not to be well informed of the projects and combinations by which the Danish king was plotting to rob the Swedes of the hard-won fruits of their many victories. The chancellor knew that he was but biding his time, and he determined to forestall him. Secret orders were despatched to Torstenson, whose victorious weapons had swept the imperial armies out of the north of Germany, to make himself master of the continental dominions of King Christian. With the extraordinary rapidity which characterised all his military movements, the Swedish general at once set out from Silesia in the month of December, and before the declaration of war in January 1644 he had overrun Holstein and Schleswig, and taken up his winter quarters in Jutland. At the same time another Swedish army under Horn entered Schonen and took Helsingburg.

For a moment all was confusion and terror in Denmark. Not even the inhabitants of the capital thought themselves secure. But the old king, though taken completely by surprise, was not dismayed. As brave as he was full of resource, he set himself at once to stem the panic, to raise troops, and to make his ships ready for service. In a very short time all the channels were patrolled, camps were formed along the shores of Funen, and the worst danger was averted.

The great difficulty of the Swedes lay in the relative weakness of their fleet, which was much inferior in strength to that of the Danes. But without being masters of the sea they could effect nothing. The eyes of both the contending powers then were anxiously turned to the United Provinces. The Swedish resident⁴¹ claimed their assistance on the strength of the treaty of 1640; the Danish king on the other hand sent a special envoy⁴² to represent to the states-general that the Swedes, in attacking him without ostensible cause and without a declaration of war, had acted dishonourably and contrary to the laws of nations, and to endeavour

³⁸ *Tot verzekering van de veigheijt en vrijheijt van de Scheepvaart en Koophandel in d'Oost- en Noordzee*. Aitzema (*Saken van Staet en Oorlog*, vi. 42-73) gives the whole text of the treaty.

³⁹ Among them some of de Geer's.

⁴⁰ An excellent account of the causes of the Dano-Swedish war of 1643-44, and of the events and negotiations connected with it, will be found in Dr. Kernkamp's monograph, *De Sleutels van de Sont*, 1890.

⁴¹ Spiering.

⁴² Gunther. The resident was named Tancken.

by promises and concessions in the matter of the tolls to secure their neutrality.

It was at this moment that Oxenstierna bethought him of applying for help to Louis de Geer. He addressed himself to him accordingly, and de Geer willingly fell in with his proposals and consented to act as Swedish emissary to Holland. His instructions were that he should in the first place seek an interview with the stadholder and the states-general, and strive to induce them to lend active naval assistance to the Swedes, and then, in case of refusal, to raise on his own account (under the secret article of the treaty of 1640) for the service of the Swedish government a fleet of at least thirty vessels, fully equipped for war.

The great merchant set out early in 1644 for Germany to confer with John Oxenstierna,⁴³ the chancellor's son, and arrange certain details about the manning of the fleet. From Germany the envoy travelled straight to the Hague. Here he speedily found that, so far as regarded the prince of Orange, his mission was useless. And the influence of the stadholder in the councils of the United Provinces was now at its greatest height. In the states-general and the states of Holland alike his opinion was not only asked on every occasion, but was almost always implicitly followed.⁴⁴ Now Frederick Henry had his own reasons for declaring in favour of neutrality in the quarrel between the Scandinavian powers: (1) he did not wish his own military plans to be interfered with; (2) he thought it disadvantageous to the common cause that Sweden should not be able to devote its entire strength to the war in Germany; (3) he did not hold it to be beneficial to the commerce of the Netherlands that either Sweden or Denmark should be supreme in the Baltic;⁴⁵ (4) he had a feeling of personal friendship⁴⁶ for Christian IV. His views prevailed. After many delays and consultations the states-general determined to hold aloof from hostilities and to despatch an embassy of mediation.⁴⁷

De Geer saw that no time was to be lost. When he discovered the course which the ruling powers were taking, he determined to act and if possible to anticipate their decision. He put himself in communication with his friends in the different seaports, and at

⁴³ At this time Swedish plenipotentiary to the peace congress at Osnabrück. In a letter Oxenstierna referred his son for all information to de Geer. *Jag refererar my på Louis de Geer, hvilken dig hela saken, där han finner lögenhet at tala med dig, berättandes varder.* (Oxenstierna, *Brefvevling*, i. 105.) In another letter (i. 123) he expresses his fullest confidence in de Geer.

⁴⁴ See *ENGLISH HISTORICAL REVIEW*, Jan. 1890, pp. 51, 52.

⁴⁵ See Kernkamp, *De Sleutels van de Sont*, pp. 68, 69.

⁴⁶ Garde, *Den Dansk-Norsk Sømagts Historie*, p. 183. Christian IV *hafde imidlertid en oprigtig Ven i Prindsen af Oranien.*

⁴⁷ De Geer, *Lod. de Geer*. Appendix xxiii. gives a number of quotations from the letters of Grotius upon the attitude of the United Provinces at this time, which Grotius disapproves.

once set to work to hire and equip the vessels which he had undertaken to provide for the Swedish service.⁴⁸

Such proceedings could not escape the notice of the Danish envoys, who both personally and by writing⁴⁹ protested to the states-general, and asked that de Geer should be compelled to desist from his preparations. The result affords a curious illustration of the complicated nature of the government of the republic. In consequence of the appeal that was made to them, two commissioners were appointed by the generality⁵⁰ to proceed to Amsterdam, and make full inquiries as to the matter from the board of admiralty of that town. The admiralty replied that they had not interfered with de Geer, because that they believed he was acting with the good will and connivance of the states. De Geer was then himself summoned, and asked to offer an explanation of his proceedings. His contention likewise was that the stadholder and the authorities must have been aware of his preparations, since he had made no attempt to conceal them, and that he had regarded silence as consent. The commissioners thereupon requested the admiralty to forbid any further equipment of vessels for the service of foreign potentates. 'It is not in our power to comply with your request,' rejoined the admiralty; 'such orders can only be put into effect by the magistracies of the several seaports.'

In such disputes as these time was gained. Meanwhile de Geer and his agents skilfully enlisted on the side of Sweden the public opinion of the trading communities of Holland and Zealand, harassed, as they had been for so many years, by the vexatious Sound dues. The states of Holland took the matter up, and represented to the states-general that the undertaking of de Geer was strictly in accordance with the treaty of 1640, and on the following day (16 April) the latter assembly consented to a compromise. Instructions were sent to the admiralty of Amsterdam, that they were to permit the naval force that de Geer had already raised to sail, but that no further equipment was to be allowed.⁵¹

De Geer had gained his point. Before the end of the month thirty-two vessels were assembled in the Vlie, ready to sail. They were most of them merchantmen, converted into warships, and of no great size or strength, but well armed, and manned by 3,000 sailors. The supreme command was given to Admiral Martin

⁴⁸ Geijer (*Gesch. Schwed.* iii. 347) quotes a letter of de Geer to the Swedish bishop Matthiae, formerly tutor to Queen Christina, in which he laughingly says, *Quant à mon équipage j'espère que dans quinze jours je le pourrais rendre prest. Je suis le marchand converti en homme de guerre; le marquis Spinola est mort, il faut qu'un autre le relève.* March 1644.

⁴⁹ Mem. Tancken, 19 March, 1644. Gunther, 26 March.

⁵⁰ Res. St. Gen., 7 and 8 April, 1644.

⁵¹ See Res. Holl., 14 and 15 April. Res. St. Gen., 16 April, 1644.

Thijssen,⁵² a brave Zealander, who had distinguished himself in many an encounter with the Spaniards; under him, as vice-admiral, was another Zealander, Hendrik Gerritser, with an experienced and skilful mariner, named Blom, as rear-admiral. The orders of Thijssen were that he should first proceed to the coast of Jutland to receive on board a detachment of Torstenson's soldiers, and that then, after endeavouring to break the blockade of Gothenburg (then besieged by King Christian in person), he should force the passage of the Sound, and join hands with the Swedish fleet in the Baltic.

The admiral accordingly steered towards the west of Denmark, and despatching as he went a large squadron under Blom to cruise, anchored with the rest of his fleet, some thirteen sail, in the Listerdiep, the channel which divides the island of Silt from Schleswig. The king no sooner heard of the arrival of the Dutch-Swedes (as they were called by their enemies) than he hurried with fiery impetuosity, accompanied by nine ships, to bar their exit from the narrow seas. The conflict took place on 20 May, and, though its issue was undoubtedly to the advantage of the Danes, it was one of those struggles about which the evidence, as to what actually took place, is somewhat contradictory and confused.⁵³ The facts seem to have been these. Thijssen had at the moment thirteen vessels under his orders, but these, owing to their inferiority in size and weight of metal, were not more than a match for the nine ships of the king of Denmark, supposing that both fleets had employed their full strength. But for some reason, whether contrary winds or mistake of signals, the bulk of the Dutch vessels took no part in the action. The admiral's ship found herself during some time alone in the midst of the enemy, and despite the most heroic defence would have been speedily sunk, had not the two vessels commanded by Vice-Admiral Gerritser and Captain Bronwer come to the rescue, and thrown themselves with desperate gallantry into the unequal fight. For a while they held their opponents at bay, but at last were driven to seek shelter in the shallow water, where the Danes could not follow them, pierced through and through with shot, and with a heavy loss in killed and wounded.⁵⁴ As a strong detachment of the Danish fleet remained on watch, on 1 June another attempt was made by the Dutch to break through and again failed. Provisions now began to run short, and they

⁵² De Jonge, *Nederl. Zeevesen*, i. 129.

⁵³ For a full circumstantial account from the Danish point of view see Chr. Bruun's *Slaget paa Kolberger-heide*, while for a fair survey of the whole evidence from the Dutch side Dr. Kernkamp's *Sleutels van de Sont* may be consulted.

⁵⁴ Thijssen in his own report says: *Ons schip Gulde Svaen zoo geschooten en door-geschooten is, dattet een wonder is te zien.* Kernkamp, p. 300.

would quickly have found themselves in very evil plight, had not a storm fortunately arisen, which dispersed the blockading squadron. Thijssen promptly availed himself of his opportunity, made for the open sea, and succeeded in bringing back his damaged ships safely to Amsterdam.

Great were the rejoicings of the Danes over the inglorious collapse of the expedition; and they were to be greater still when to their triumph over the auxiliary fleet from Holland was to be added a great victory gained over the Swedes on the following 11 July off Colberg-heath,⁵⁵ a victory largely due to the personal courage and conduct of their indomitable old king, who led his vessel into the thickest of the fight, was himself wounded, and had an officer killed at his side. The advance of a powerful imperialist army under Gallas at the same time compelled the Swedish commanders to relinquish their plans for invading the Danish islands. The stars in their courses seemed to be fighting for King Christian, all offers of mediation were rejected, and everything pointed to the war ending with the supremacy of the Danes over the Baltic waters.⁵⁶ To retrieve their disasters a great and immediate effort on the part of the Swedes was necessary. It was made, but not by the Swedish government. The unaided energy and resources of a single merchant of Amsterdam caused the fortunes of the war to veer round, and transformed the whole aspect of affairs. The fleet of Admiral Thijssen, as we have seen, narrowly escaped from utter destruction. An opportune tempest and good seamanship had alone rescued it from impending disaster, and it arrived at Amsterdam crippled, unseaworthy, and disorganised. Its appearance on the Y was the signal for an outburst of indignation against Louis de Geer. The sailors broke out into open mutiny, partly for arrears of pay, and still more because of their disappointed hopes of rich booty in the Danish seas. The populace sympathised with them. A writer from Amsterdam, probably himself anti-Swedish in his feelings, states⁵⁷ that 'here the world is all turned upside down; all the merchants have become good Danes. . . . Within a short time we shall hear of great bankruptcies. Louis de Geer has not for several days dared to show himself. . . . People are saying that he had better put up his barony for sale; ' while the Danish resident Tancken informs Christian IV, 'This de Geer finds everywhere but bad credit, he has no means left to maintain the fleet further. . . . Some sailors lately wished to storm his house, because of their bad payment, and their wives cried after him in the streets, so that he

⁵⁵ Chr. Bruun, *Slaget paa Kolberger-heide*.

⁵⁶ Grot. *Epist.* 5 Oct. 1644. *Rex Daniae*, wrote Grotius, *ita inflatus, ut, nisi magno Sedorum ictu disseccetur, is tumor vix videatur recepturus sanitatem*.

⁵⁷ Letter dated 15 June 1644 given by Chr. Bruun (see Nijhoff's *Bijdragen*, N. R.: vii. 122).

was obliged to take refuge in the nearest house.'⁵⁸ Possibly these reports may have been exaggerated; but, be this as it may, one thing is certain, that de Geer was neither discouraged nor dismayed by the outcry against him, nor was he, as his enemies supposed, in any lack of the sinews of war. Orders were given without delay for the repair of the damaged fleet, and agents sent out to hire other vessels, and enlist fresh crews; not for a moment did the great merchant's resolution falter, and with such vigour and determination did he press on the work, that before the end of July Thijssen was able to put to sea a second time with another fleet of twenty-two sail.

Success attended him from the outset. Entering the Skaggerak he first dispersed the blockading force, which lay before Gothenburg, and then made straight for the Sound. He passed the entrance in the morning of 19 Aug., hugging closely the coast of Schonen, so as to keep out of the range of the cannon on the Danish forts. He met with no obstacles, and in the early dawn of the 20th appeared before Copenhagen. A squadron of nine Danish ships under the command of the king lay at Dragor, and attempted in vain to bar his passage. In full view of thousands of spectators gathered on the towers and battlements of the capital, the Dutch admiral forced his way through the hostile fleet. It was only to find, however, that another Danish squadron lay off the north of the Sound, and that he was now enclosed by superior forces. It was a critical moment. But the superior seamanship of the Dutch sailors and the lighter draught of his vessels enabled Thijssen to outmanœuvre and outsail his opponents. Before the sun set he had passed Falsterbon, and, leaving his baffled pursuers in the lurch, emerged in the open sea, and brought his fleet to anchor in the harbour of Calmar.⁵⁹

The Swedish government were overjoyed at the advent of the Netherlanders. Thijssen was invited to Stockholm, thanked for his services, presented by the queen with a pension and gold chain, and made an admiral in the Swedish service. The naval strength of Sweden had been indeed at a low ebb before his arrival. There was a sad lack both of vessels and of crews. At last twelve ships were got ready, and with two or three fireships joined the fleet of Thijssen in Calmar Sound in the middle of October, and the whole force, consisting of thirty-two sail, put to sea under the supreme

⁵⁸ Chr. Bruun in *Nijhoff's Bijdragen*, p. 123. The original despatch, dated 17 June, is in the *Geheim. Arch. Holl.*, and is in German: *Dieser de Grenre findet überall gar schlechten credit*, &c.

⁵⁹ The despatches of van Cracauw, the Dutch resident at Helsingør (Rijk's Archief, at The Hague), are full of interesting details of Thijssen's forcing of the Sound, and other matters connected with the war. See Kernkamp, *Sleutels van de Sont*, pp. 308, 314.

command of Karl Gustaf Wrangel.⁶⁰ On 23 October they encountered the Danish fleet, numbering about twenty vessels, between Femern and Laaland. A desperate contest ensued, ending in the complete defeat of the Danes. Only two or three of the smallest vessels escaped; the rest were sunk, burnt, or captured. Admiral Protz Mundt and Rear-admiral Ulfeld lost their lives, while Vice-admiral Jasmund, with a thousand men, and many officers were made prisoners. Shortly afterwards Thijssen returned home to Holland with his victorious fleet, having struck a blow which had shattered the hopes of the Danish king,⁶¹ and which eventually compelled him to seek the mediation of the United Provinces, and conclude with the Swedes the treaty of peace at Bromsebro.⁶²

Louis de Geer reaped little but fame from his great achievement and services. Of his vast outlay, amounting according to the lowest estimate to 1,400,000 florins, and probably far exceeding this sum, he never received more than about one-third back. The Swedish treasury was drained, and despite of many promises the repayments were both small and dilatory. But de Geer had at least the satisfaction of being honoured in Sweden for the help he had so opportunely rendered to the state, and a free hand was given him for the prosecution of his great industrial undertakings. That at one time his lavish expenditure upon the expedition, coming as it did so soon after he had sunk so much capital in the purchase of Finspong and his other lands, caused him temporary embarrassment, is proved by the pressing letters which he wrote to Queen Christina herself, asking that consideration should be shown to his claims. But he does not appear to have actually experienced much difficulty in placing his credit on as firm a basis as ever, and if he did not obtain the pecuniary relief for which he asked, it was at least highly flattering to receive a reply in the queen's own hand, concluding with the words, '*Je vous prie de croire que vous m'avez obligé de ne souffrir que votre honneur coure hazard, mais j'employerai tout mon pouvoir à recompenser vos services rendus, montrant ainsi que je demeureray, ce que je suis, votre très clémentine reine, Christine.*'⁶³

It had always been the wish of de Geer to spend his declining years in the old home at Amsterdam. At the close of the war, then, after regulating all his affairs in Sweden, he transferred their immediate management to the hands of his sons, and himself returned, as he hoped finally, to Holland. But he was not yet to

⁶⁰ Famous as a general in the thirty years' war. He learnt the art of seamanship in Holland.

⁶¹ *Miss. v. Amb. Den. aan H. H. M.*, 4 Nov. 1644. *Dit groot verlies wort alhier voort meerendeel toegeschreven die soo niet toegestaene, ten minsten niet verhinderde Equipagie van Louis de Geer in Hollandt.*

⁶² For an account of intermediate events and the despatch of the convoy fleet under Admiral Witte de Witt, see *ENGLISH HISTORICAL REVIEW*, 585, July 1891.

⁶³ De Geer, *Lodewijk de Geer*, p. 40. The letter is dated 16 Sept. 1644.

find the repose that he sought. In his absence various difficulties arose with the Swedish government about the position and rights of his children. The year 1648 saw therefore the old man once more in Stockholm, seeking for a personal interview with the queen. She received him most graciously, and not only gave him permission to divide his possessions as he thought fit among his sons, but transferred to them in full all the rights and privileges which had been awarded to their father. As a special mark of favour and esteem she caused his portrait to be painted by David Beck,⁶⁴ and to be placed in the royal gallery among those who had most distinguished themselves in the service of Sweden. He richly deserved the honour, for, as the Swedish historian Fryxell says:

All that was won by the statesmanship of Oxenstierna, by the sword of Bauer, Torstenson, and Wrangel, in a desolated Germany streaming with blood, has been already lost again; but the advantages which Louis de Geer brought to Sweden, by the path of peaceful industry and virtue, these still exist, and bear wholesome fruit to a late posterity.⁶⁵

It was about this time that de Geer, in association with the Chancellor Oxenstierna, set on foot the Suedo-Dutch company for trading on the west coast of Africa, and it was probably on business connected with the company that he paid short visits to Stockholm in 1651 and 1652. The seizure by Cromwell's cruisers of certain of the company's merchantmen under the impression that they were the private property of de Geer, led to diplomatic difficulties.^{65a} Oxenstierna was very angry, and instigated the queen to demand the restoration of the prizes. The issue is not known, but whether from the fatigue of these journeys, or from worry, de Geer, who had been for some time in failing health, suddenly became worse, and found his way back to Amsterdam a dying man.

He suffered much during the last weeks of his life, but bore up to the end with Christian resignation and peace of mind. At length, worn out by pain and weakness, he breathed his last, 29 June 1652, at the age of 65. He was buried by the side of his wife in the family vault at Dordrecht.

It remains but to tell what manner of man this was in his private life, this master spirit, who by sheer force of energy and capacity had raised himself from small beginnings to be not only the first merchant of his time, but one of the foremost men in two great states, to both of which he came as a stranger. Of his strong and

⁶⁴ A pupil of Vandyck, who was employed by Christina for this purpose. An excellent engraving of this portrait was made by J. Falck in 1649, a copy of which may be found in the folio edition of de Geer's *Lodewijk de Geer*, 1852.

⁶⁵ Fryxell, *Berättelser ur Svenska historien*, viii. 155. That the name of de Geer is still honoured in Sweden is further shown by the dedication to his memory of a charitable institution for sailors' children, which was named, in 1839, *Ludwig de Geer's uppföstring's anstalt för sjömans soner*.

^{65a} *Mémoires de Chanut*, iii. 54, 58; de Geer, *Lodewijk de Geer*, pp. 90, 91.

deep affection for his wife and children, and of his sincere piety, something has been already said, but not enough to give any true idea of the kindly, tender nature, of the width of sympathy, and of the elevation of tone, which marked his character, and which stamp the career of Louis de Geer with a nobler distinction than could be conferred by imposing wealth or the favour of sovereigns. The circumstances under which his father had fled from Liège, and the education he had received in his early years, had made him something more than a strong adherent of the doctrines of the Reformation, a truly God-fearing religious man. His whole soul was filled with the idea of the providential ordering of all, even of the smallest and most insignificant events of life, and he placed himself unreservedly in the hands of God, as an instrument to be used according to His good pleasure. In everything he did he was deeply impressed with the sense of responsibility and duty. This showed itself in different ways. We have already seen that, when at the age of twenty-one years he first entered into business at La Rochelle, he 'made a vow to devote to God a tithe of all that the Lord shall permit me to acquire.' And as he began so he continued through life. Whenever a vessel arrived safely in port, a portion of the value was set aside for charity, and, if the voyage were unfortunate, still the same portion was set aside, 'for,' he said, 'the poor must not be the losers.' His liberality indeed to all who were in misery or oppressed was such as to excite astonishment in the minds of his contemporaries.⁶⁵

A strong Calvinist, the first objects of his generosity were the poor and charitable institutions belonging to the Walloon congregation at Amsterdam, of which he was for many years an elder, and the persecuted ministers and congregations of the Reformed faith, wherever they were to be found. And yet, with all the intensity of his religious convictions, de Geer was no upholder of intolerance. His spirit was not infected with the besetting prejudices of his time. He would have desired, had it been possible, to unite the two great sections into which the protestant world was divided. In Sweden he built a church and a school for the use of his Walloon workmen at Leufsta, and gave an endowment for a minister for the one and a master for the other. But it was in the teeth of the opposition of the Lutheran bishops. All de Geer's influence at the court had to be exerted in order to secure for his people liberty of worship. He found an opportunity of showing that at least his own Christianity was not so narrow and sectarian.

It happened during one of de Geer's residences at Norköping that the Lutheran church was burnt down. He immediately

⁶⁵ *Tanta benignitate et impensis adeo ingentibus ut tam effusa liberalitas privati hominis apud posteros vix fidem sit habitura.* From a funeral oration over T. Andreae, 1676.

offered the use of his house to the congregation as a temporary place of worship, and not only materially assisted in the rebuilding of the edifice, but supplied it with a pastor at his own charges. Such an act would be regarded as exceptionally liberal and enlightened even in these days; how much more so, then, in the bigoted seventeenth century, and in the midst of the most relentless religious war that has ever been waged! In this war he took the keenest interest, and, as was usual with him, his sympathy for the persecuted protestants did not confine itself to words of pity or expressions of commiseration. Through the hands of his friend Henry Alting, a professor at Heidelberg, he distributed some hundreds of thousands of florins among those who were suffering from the barbarities of the imperialist armies, and more especially in the wasted Palatinate.⁶⁷

To say that Louis de Geer was munificent or charitable would give but a weak and erroneous impression of the motives, the stern sense of obligation, which prompted his benevolence. The money which he regularly put aside as a thank-offering to God, and which he called his 'poor-fund,' was to him a sacred trust for the service of all in need, whether co-religionists, countrymen, or strangers. 'I make no respect of persons,' he wrote, 'in the gifts from the poor-fund,' and again, 'when misfortunes come, we must not trench upon the poor-fund. They are sent as a chastisement from God, and should be paid from our own resources.' He was never weary of impressing upon his sons 'to practise benevolence; never to think you have done enough for the unfortunate; to give a considerable portion of your property to the poor; and always to remember that, according to their ability, duties and responsibilities lie upon all.'

In his will he left the 'house with the heads' charged with the sum of 1,000 florins annually for forty years for the support of the Walloon pastors and students in Amsterdam. And this bequest leads me to speak of another and not less conspicuous trait of this large-hearted and truly princely merchant—his love for learning, and the deep and constant interest which he showed in the cause of the education of the people. He sought the society of men of letters and was ever ready to lend assistance to them in their difficulties with a bounteous hand. For Descartes, whom he met at the court of Sweden, he had an especial regard, and was intimately acquainted with many of the famous literary men of the day. Tobias Andreae, professor of Greek and history at Groningen, became his son-in-law; Gronovius, the distinguished scholar, he aided in making a journey

⁶⁷ *Hic ex fodinis metallicis et negotiatione septentrionali factus opulentissimus, docens simul usum divitiarum, in subministrandis egenis reformatae religionis per universam Germaniam, maxime vero in pastoribus per Palatinatum, erogatis plus semel millibus imperialium. Vir dignus non solum cedro sed caelo. Berniera, Hist. eccles. p. 162.*

of research to Italy and in obtaining his professorship at Deventer; and Comenius,⁶⁸ celebrated as a reformer of the methods of public instruction, he persuaded to accompany him to Sweden, and there endeavour to improve the very insufficient system of education. He set up a printing press at Maestricht for the use of Samuel Desmarets, a reformed preacher, then engaged in a fierce theological controversy with certain Roman catholic priests at Liège. Nay, he became a publisher himself. Having learnt that the Slavonic population of parts of Bohemia and Hungary possessed no version of the Bible in the vernacular, he caused a translation to be made, printed, and distributed at his own cost.

De Geer, in spite of this great liberality, left behind him an enormous fortune, sufficient to provide amply for all his numerous children, thirteen of whom survived him. He had promised his dying wife to be henceforth both 'father and mother' to their little ones, and extant letters show with what solicitude and seriousness he addressed himself to the task. Some extracts have already been given; two more must suffice. 'Live,' he wrote on one occasion, 'in peace, concord, and brotherly union; have affection one for the other; bear with one another's weaknesses; live not as the world lives, but according to God's holy laws and ordinances;' and again, 'Never let your resentment go to rest with you, lest it become inrooted; but before you go to sleep, meet together and forgive one another; let him that is strongest show that he has over himself the most control.' Not all of de Geer's sons followed out his admirable precepts, but Laurence and Louis, the two eldest, who became his Dutch and Swedish heirs, were worthy sons of their father, and died honoured and in good repute in their respective countries.⁶⁹

Marvellous as was the success which attended Louis de Geer from his youth up throughout life, it was in no wise due to mere chance or good fortune, but to the sterling qualities and intrinsic merit of the man. A character so many-sided in its energies, so admirably balanced, a life so useful to the world, so prolific in good deeds, and withal so modest in the midst of unexampled prosperity, 'belongs,' as a Swedish writer⁷⁰ truly says, 'to history,' and is not undeserving, even after the lapse of two centuries and a half, of our respectful study and admiration.

GEORGE EDMUNDSON.

⁶⁸ His chief work (*Ianua linguarum reserata*) was translated in twelve European and several Eastern languages. He was sent for to England to reform the schools.

⁶⁹ For an account of them see de Witt's *Lodewijk de Geer*, pp. 95, 103. Two of de Geer's sons settled in Holland, two in Sweden, and a fifth, lord of Finspong in Sweden and of Rhijnhuigen in Holland, lived alternately in both countries. The elder lines died out; from the last named are descended the later families of de Geer in Holland, Sweden, and Finland. Several of these filled important political posts; one was a great naturalist, and was called the Swedish Réaumur; another, the biographer of his ancestor referred to above.

⁷⁰ Franzen, *Hans bild hör till historien*.

Ireland. 1793-1800.

I SHALL try to sketch a period of Irish history which strikingly illustrates most of the ills that have been the curse of an ill-fated country, and which connects its distant past with its present fortunes.¹ The years 1793-1800 witnessed the rapid decline of the Irish parliament, the recall of Lord Fitzwilliam and all that flowed from it, the horrible rebellion of 1798, and the triumph, in the union, of the policy of Pitt. The French revolution was the principal force which brought about this series of events; and that conflagration throws a searching light on Irish affairs and all that relates to them, which spreads far backwards and extends to the future. This period reveals in full prominence the nature and vices of the institutions of Ireland when a half-independent state; exhibits the Irish parliament in its true aspect, during the brief era of its nominal freedom, as the evil creation of the rule of a caste, cut off in sympathy from an oppressed people, and foul with corruption, if bright with genius; shows with sharp distinctness what the results were of the settlement of conquest and confiscation which formed the base of the Irish community; makes fearfully manifest the profound divisions of race and faith which for many ages have been the cardinal facts of Irish social life; and proves what appalling troubles grew out of these, what strife, what hatreds, what a hell of passion, though they had appeared lessened and even smoothed away under the influence of time and of the eighteenth century. It teaches us plainly, too, what was the character of the government of Ireland, at a momentous juncture, by England, the really dominant power; by what evil and precarious means the two countries, and their separate legislatures, were held together since 1782; how the good intentions of British statesmen

¹ An old lawyer cannot be unmindful of the saying of Coke, *Melius est petere fontes quam sectari rivulos*. I have composed this short account of the history of Ireland, June 1793 to 1800, in the main from original sources, chiefly from the sketches of Pitt, Grattan, and Lord Clare, and from the Cornwallis and Castlereagh correspondence. I have besides derived much information from conversation with persons who either remembered 1798 and the union, or were intimate in youth with actors in those events. But I have not omitted to study historians; and I have of course read Mr. Lecky's valuable work. This sketch, however, is not a review of his last two volumes; I examined these in *Macmillan's Magazine* of December 1890.

towards Ireland were more than once baffled ; above all, perhaps, how a perplexed minister, able and well-meaning, but not far-sighted, carried out in Ireland a bad policy marked with pride, ignorance, vacillation, and craft, and what have been the far-reaching consequences. The necessity of the union is, perhaps, the most important lesson of those agitated years ; yet they tell us, too, that as it grew out of wrong, and was in itself a mutilated and imperfect measure, the union brought many ills in its train ; and time has shown that, if, upon the whole, it has been a source to Ireland of permanent good, it has been accompanied with real evils ; that it has not reconciled Ireland to imperial rule, or made her a united and loyal nation ; and that nearly two-thirds of the Irish people are still distinctly hostile to British law and government. Like most other epochs of Irish history, this period is not especially rich in incidents of dramatic interest, though a great artist would find worthy subjects in the French descent on Bantry in 1796, and in the fierce and tragic rising of 1798. But, like Irish history throughout its dark course, it exhibits clearly the mournful sequence of cause and effect in evolving evil ; and, in its social and its political aspect, it abounds in materials of extreme importance and value for earnest thinkers and statesmen.

Ten years had passed, at the close of 1792, since the Irish parliament had been made independent. In theory it was a sovereign assembly, connected with Great Britain only by the link of the crown, with a separate voice even in foreign affairs, and absolutely supreme as regards those of Ireland. In practice, however, it was ruled from Westminster, and was bound to the British ministry by the strong ties of self-interest and of corrupt influence ; and it usually followed in the wake of the British parliament and obeyed the behests of the British government. It had, however, its fits of passionate jealousy ; on two great occasions it had opposed the will of Pitt and of the British House of Commons ; and English statesmen had been long convinced that such an assembly might become a source of trouble and danger to a world-wide empire. The Irish parliament, however, should be chiefly considered as it affected Ireland, its peculiar sphere, and in its relations with the Irish community. It was composed, in both houses, of an aristocracy of sect, the representatives of English protestant colonies, planted in the land by civil war and conquest, with spoliation following in its train, or the nominees of the British government seated in it to assure ministerial influence. The popular element in it was miserably weak, and, such as it was, was that of a small electorate, sectarian, and forming an exclusive caste ; and its House of Commons had almost become the close borough of a few ennobled families, and of the executive at the Castle, which returned between

them two-thirds of the members. Such an assembly formed a narrow oligarchy, from its constitution cut off from the people, and, owing to the unhappy events of Irish history, divided from the subject races it ruled in blood, in religion, and by evil memories; and depending mainly, as it did, on England, and being the mere corporation of a dominant class, it was at once tyrannical, selfish, and thoroughly corrupt. The Irish parliament, in fact, as was finely said, 'knelt to England upon the necks of its countrymen;' and though men of great powers appeared in it, though it had a minority of true and enlightened reformers, and though its debates occasionally breathed the free spirit which has characterised some assemblies of the kind, its legislation and the nature of its rule were such as might have been expected from it. It had persistently refused to reform itself, to make the House of Commons in any sense popular, to diminish the corruption which prevailed in it; and it resisted the demands of catholic Ireland, and even of presbyterian Ulster, for admission to the just rights of citizens, and for the slightest increase of a narrowly restricted liberty. Though the country, too, had made progress since 1782, and this had been partly due to judicious measures, ostentatious perhaps, yet essentially wise, the parliament had maintained the impost of tithes, to the mass of the people a harsh grievance; it had not attempted to approach the land question, already menacing and producing wrong; and, in the true spirit of a selfish caste, it had oppressed the peasantry with a draconic code, in order to uphold the extreme claims of property. The legislature had an administration corresponding in type; the ruling class filled the public service, and made it a monopoly of oppression and of gross corruption; in the absence of freedom and public opinion, jobbing and malversation abounded and flourished; and a bureaucracy of harsh and grasping officials had established itself in power at the Castle, the centre of a half-foreign and ill-informed government. Beside the parliament stood the established church, the rich domain of the privileged caste, but a symbol of wrong to the mass of the nation, no longer feared, but already a byword, the spoil of court power and of bad influence, and showing too plainly in its empty cathedrals, its deserted glebes, and its ruined buildings, that it had no hold on the national sympathy.

These institutions, narrow as those of Venice, but infinitely worse in many respects, and without the grand Venetian traditions, weighed heavily on the two other races which formed the rest of the Irish community. Half of Ulster had been peopled by Scottish settlers, hard in nature, and of the presbyterian creed; and, owing to the strange unwisdom of misrule in Ireland, they had been separated from the Anglo-Saxon protestant colonies, and not

united with them against the 'common enemy,' the opprobrious name of Celtic and catholic Ireland. The presbyterian north was now a distinct community, mainly composed of tillers of the soil and traders, stern, resolute, and intelligent men; and under the system of exclusion which prevailed everywhere, they were shut out from their proper place in the state, and suffered many kinds of injustice and wrong. They had no representatives at College Green; and though they possessed the franchise, and could hold offices owing to the recent repeal of a monstrous Test Act, they were practically excluded from the corporations which formed one of the strongholds of the ascendant class, and from the whole patronage of an oligarchic government. They were subjected, too, to disabilities and disqualifications of a galling kind; and, as the owners of the soil were of the dominant caste, and they occupied it largely in the 'plantation' counties, the relation between owner and occupier was marked by a harsh distinction. Their greatest grievance, however, was the charge of the tithe and the ascendancy of the privileged church: and their sentiments towards its clergy and its tribute were those of their fathers towards the prelates of the Stuarts. The western tract of Ulster and the three other provinces were the seat of Celtic and catholic Ireland, the most ill-fated, perhaps, of European races. This people, the relics of the old septs and clans, had been broken into atoms and driven from their lands by a series of barbarous conquests; and the settlements of conquest, which made them the serfs of masters alien in blood and faith, had been aggravated and made especially harsh by a code of penal laws which compelled their natural leaders to carry their swords and their talents to foreign countries, and shut their dependants out from civilised life. Time, social progress, and the eighteenth century had greatly mitigated this state of things; the worst of the penal laws had been repealed; and a catholic middle class had grown up in Ireland, which held the position of large farmers, or had amassed considerable wealth in commerce. But the disabilities which attached to the presbyterian Irish were far more severe as regards the catholic; the lines of demarcation drawn between landlord and tenant in the presbyterian north were far more impassable in the catholic south; and catholic and Celtic Ireland, at this period, was a poor, ignorant, and inert community prevented from rising in any sphere of life, and a conquered race, resettled on the lands of its fathers, in subjection to the sons of foreign conquerors, who regarded it as a people of degraded Helots. Exaction, oppression, and all kinds of wrongs grew naturally out of this order of things; and these were aggravated by absenteeism on an immense scale, and by a vicious system of land tenure of peculiar harshness to the tiller of the soil. The only hope and

refuge of this half-outlawed race was its church, rapidly growing in power, and no longer proscribed though still despised; but if the dignitaries and priests of the Irish catholic church were a submissive and almost a servile body, they had not forgotten their ruined altars, and they could have no feeling but that of antipathy for the state of society they saw around them. The settlement of conquest, however, still appeared secure; protestant ascendancy was established in the soil; and the alien oligarchy—a large number of these were really good and improving landlords—ruled the peasantry in a half-feudal fashion, in many instances the kindly masters of inferiors whose feelings they never understood. We know from Tocqueville how false this seeming peace and content may be; and as a matter of fact, the system of tithe had become at this time a subject of complaint, and agrarian disorders, fierce and widespreading, had troubled whole counties for many years.

This diseased and distorted frame of society was not long in feeling throughout its members the disturbing influence of the revolution in France. The agitation spread first to presbyterian Ireland, where it roused wild passions and fervent hopes; and it soon became powerful, if not yet formidable. The settlers of Ulster had for twenty years been in close friendship with our late revolted colonies; hundreds of peasants, expelled from Antrim and Down by harsh exaction, had thrown in their lot with Washington, and served in the levies of the States; and the declaration of the rights of man, at Versailles, seemed an echo of the voice of American freedom. The news quickly arrived of the fall of the Bastille, of the extinction of a huge system of aristocratic privilege, of the collapse of a great prelatic church; and the republican element, which naturally pervades presbyterian life, was stirred and made active. The volunteers of 1782 began to move again; trees of liberty were planted in all the villages; Belfast became the centre of a democratic movement; popular leaders emerged and talked sedition; a violent newspaper press multiplied; and the north was invoked to array its national guards, and to follow the example of France and of Paris. The society of the United Irishmen was next formed, and drew into it many ardent spirits, believing in Rousseau and the faith of 1789, and it put forward a grand profession of Irish rights, and avowed itself the champion of Irish liberty. The society, resembling the clubs of Paris, had soon established itself in Ulster and spread its ramifications far and wide; but though it had conspirators against the government and British rule in its ranks from the first, its guiding spirits, it is quite certain, would have been satisfied with constitutional change, if made on a democratic model, for many months after this period. Revolution, in fact, had as yet made no

progress in Ulster; and though a strong spirit of reform was abroad, there was at this moment not even a thought of rebellion. The power of the great upheaval in France made itself felt also in catholic Ireland; but it exhibited itself in a different manner among the downtrodden Celtic peasantry. The heads of the catholic Irish church, the few remaining Irish catholic nobles, the wrecks of the Irish catholic gentry, whose sires had fought under the Bourbon lilies, viewed the revolution with alarm and disgust; they made sincere professions of loyalty to the crown, though they still claimed the concession of just rights; and, at a critical moment, they severed themselves from the inferiors and dependants, with whom hitherto they had been associated by common misfortunes. But the revolution wore a very different aspect in the eyes of the great mass of the catholic Celts, who had vegetated on the soil in a state of thralldom to alien, and often to absentee landlords. As the sound fell on their long dulled ears that in that great country beyond the sea where their fathers had formed the Irish Brigade, the hated tax of the tithe had been abolished, that an aristocratic caste had fallen, that the tillers of the soil had broken away from their lords and were rapidly becoming owners of the land, and that society was being turned upside down with glorious results for the oppressed and the poor, the inert multitudes became feebly stirred; and the tale spread through Leinster, Munster, and Connaught that the wrongs of the past would be undone, that the Saxon would cease to hold the lands of the Celt, and that Ireland would have her own again. A movement against the payment of tithes and rent, accompanied, as these movements have always been, by lawless disorder and deeds of blood, became manifest in several counties; it found sympathy from the catholic middle class; and it was secretly supported by a few priests, and probably by many of the friars and monks, an element of disturbance at all times in Ireland. The movement, however, was not yet very strong; it alarmed the Castle, but it was not so grave as the Whiteboy rising of thirty years before.

The condition of Ireland had for some time attracted the attention of the British cabinet. In examining the Irish policy of Pitt, we must bear in mind that, if supreme at Westminster, he had but an indirect control over the assembly at College Green, and even over the men who ruled at the Castle. Nevertheless, after making due allowances for the hindrances which beset his course, his conduct throughout this period in Irish affairs was, I think, hesitating and without insight; it showed none of the resolution and genius of Chatham in the somewhat analogous case of Scotland; if well-meaning it appeared tortuous; and if in some respects it accomplished good, it was attended with fatal results, at the time and afterwards, of which the evils survive to this hour.

The disciple of Adam Smith had, in 1790-91, subscribed to one of his master's doctrines, and was meditating a union of Ireland with Great Britain; but, like all English statesmen, he considered the subject almost wholly from an imperial point of view, and what he chiefly regarded was the danger to England of two legislatures in the same state. Pitt's knowledge of Ireland was quite superficial; he thought, it would seem, there would be no difficulty in maintaining what he called the 'protestant settlement,' and all that was involved in the word—the ascendancy of a sect and the bad rule of a caste—while France was preaching the gospel of the rights of man; and he put the union off to a convenient season, letting things drift, and perhaps convinced that presbyterian and catholic Ireland would be satisfied with slight and trivial concessions. He was less alarmed than most of his colleagues, and certainly than his lord lieutenant, at the condition of Ireland in 1791-92; and though he had thought some years before of commuting the tithe, the unjust exaction of the established church, and even of parliamentary reform in Ireland, he had already abandoned these wise projects. In 1792, however, owing largely to the influence of Burke, who had always befriended the Irish catholic, and was now rallying catholicism against Jacobin anarchy, Pitt endeavoured to induce the Irish parliament to abolish some of the penal laws which still galled and insulted catholic Ireland; but he did not put his authority forth, though an insignificant measure of relief became law. Some months afterwards a more earnest effort in the same direction was made by the cabinet. By this time Pitt had in part perceived, though he had not thoroughly grasped the fact, that Ireland was in a critical state; and as war had broken out with revolutionary France, a conciliatory Irish policy was deemed advisable. Paying no attention to presbyterian Ulster, the minister turned his eyes on catholic Ireland, the agitation of which seemed the most formidable as it comprised nearly three-fourths of the people, and which, guided by committees, in some instances directed by leading 'United Irishmen,' was organising itself into local 'conventions,' spreading their influence through the stirred mass of the peasantry. The measure of redress urged by Pitt on the assembly at College Green was ill conceived and short-sighted. The true policy would have been to admit the loyal leaders of catholic Ireland to the full enjoyment of constitutional rights, and to keep catholic disaffection under; but the chief proposal was to extend the franchise to the great body of the Irish catholics, that is to give power to ignorant and excited multitudes, which would certainly arouse extravagant hopes, and would perhaps lead to the gravest disorders. The evil of this, however, was not yet obvious, for three-fourths probably of the new voters were still mere thralls of protestant landlords; and the projected reform was perhaps

a device of statecraft which, it was thought, would have no real effect, but would divide catholic and presbyterian Ireland. The measure passed after protracted debates. But prominent men in the Irish parliament condemned it as mischievous and unwise, and advocated the more judicious reform.

The great Catholic Relief Act of 1793 was thus an ill-planned and imperfect measure, and, instead of removing, increased trouble. The policy of Pitt, however, called into question the institutions of Ireland as then established; the concession of the franchise, it was felt, would lead to a full concession of the catholic claims, to a general reform of parliament at least, to the ascendancy, perhaps, of catholic Ireland, and to an attack on protestant rights and property; and the whole subject was discussed in the Irish parliament. The majority, no doubt, regarded the change with distrust, and accepted it because it was the will of the Castle; but a small minority sincerely favoured the catholics, though many of them disliked this peculiar measure. Two men, already of the first mark in Ireland, and destined to play great parts in the future, made themselves conspicuous at this juncture, and became the representatives of two types of policy to which subsequent events gave special prominence. John Fitzgibbon, a scion of a catholic family, forced into protestantism perhaps by the penal laws, had risen by his talents to the high post of chancellor; and he was already by far the ablest champion of the system of aristocratic and sectarian privilege, and of its accompaniments misrule and corruption, who appeared in that troubled age in Ireland. Well-informed, sagacious, and of a strong stern nature, he saw, more clearly than any other public man, the instability of the existing order of things, and the danger which catholic Ireland was to it; he thought little of the presbyterian movement, and though he wished to maintain the parliament in College Green and the present structure of Irish society, he was ready, at any sacrifice, to promote a union, if it was proved that this was the only means of making protestant ascendancy and its institutions secure. He was to become the master spirit of a bad government, and the Irish Strafford of a reign of terror; he was to sway Pitt by a more powerful will, and to give the union its peculiar form, even more decisively than its author; his energy, his determination, his unscrupulous harshness were to put down a bloody Irish rising. But his policy provoked the civil war it quenched, and he was a cause of many and lasting ills to his country. In strange contrast to Fitzgibbon was Henry Grattan, the Irish Washington of 1782, the head of the reformers in the houses in Dublin, and the purest and most illustrious of patriotic Irishmen. The splendour, and, in some degree, the extravagance, of the oratory of Grattan, have kept out of sight his genius and insight as a statesman, and if the ideal he aimed at was, perhaps,

impossible, his influence for good, in Irish politics, was immense. His great object was to heal the animosities of the past, to combine catholic and protestant Ireland into a united people, and to make the Irish parliament really national; and if an unhappy history forbade this result, Grattan worked nobly for practical objects—for parliamentary reform, for the catholic cause, for the extinction of corruption at College Green, for the commutation of the tithe, for presbyterian rights, in a word, for bringing the national life of Ireland into harmony with modern needs and ideas, and removing all that was deformed in it. Grattan, however, like Burke, was a strong conservative in his conception of government and of social order; he respected authority and tradition, the subordination of classes, and the rights of property; and, like Burke, he detested the new ideas of France, and denounced the United Irishmen as Jacobin madmen. His sympathies were aristocratic, if broad and enlightened; and if he wished to transform the state of Ireland, he would have effected this by constitutional means, never by revolutionary force or change. His policy failed in his evil days, but had the reforms he advocated been carried out, Ireland very probably would not have mourned for the rebellion of 1798 and its disastrous results.

Fitzgibbon had voted for the Act of 1793; but he added, when voting, that measures of this kind would shake the structure of government in Ireland to its base. For some months it seemed as if Grattan's policy of reform and concession was destined to triumph. The great whig secession took place in 1794; several of the old whig leaders became ministers; and Lord Fitzwilliam was sent to Ireland as lord lieutenant in the first days of 1795. He had been in correspondence with Grattan before his appointment; he had been an intimate friend of Burke; and in Ireland, at least, his coming was hailed as the symbol of a complete change in the established method of governing the country 'through a clique at the Castle,' and of depending upon a narrow oligarchy and gross corruption to direct the Parliament, and as the precursor of catholic emancipation, as it was now called, and of a liberal reform in the Irish House of Commons. The conduct of the lord lieutenant confirmed this view; he summarily broke up, by dismissing its head, the harsh bureaucracy which had been so powerful; and he permitted—nay, he encouraged—Grattan to bring in a full measure of catholic relief which would have completed the Act of 1793; would have placed catholic and protestant Ireland on the same level of equal rights; and must have been followed by the rapid fall of the domination of sect in Irish government, and by parliamentary reform on a broad popular basis. The hopes of the leaders of catholic Ireland, and even of the peasantry, rose high; the chiefs of the 'United Irishmen,' not yet committed to any scheme of treason,

sincerely thought that their objects might be in part attained; but the whole situation was suddenly changed by the removal of the lord lieutenant from his post, and by the appointment of a successor who, it was known, would return to the old modes of rule, and would oppose concession of every kind in Ireland. I have no space to examine in detail the circumstances of this untoward event. Fitzwilliam had, perhaps, been indiscreet; but he did not, I think, exceed his powers; and his dismissal was due, in part, to the jealousy of Pitt, who upheld, as Burke called it, 'the Castle gang;' in part to the dislike of a minister to attempt reforms in the midst of war; in part to his now fixed purpose to make concession in Ireland depend on the union; and largely to the obstinacy of George III, who, at the instigation, it is believed, of Fitzgibbon, had declared that he would never consent to the catholic claims—a fact known to Pitt, and of deep significance when we consider his conduct a few years afterwards. The recall of Lord Fitzwilliam led to a fierce outburst of passion in Ireland and to widespread dismay; it gave an unhappy turn to Irish affairs; and good judges have expressed a belief that the rebellion of 1798 was the natural result.

The policy and attitude of the succeeding government only aggravated the evils already threatening, and swelled the tide of discontent and anger. An attempt to conciliate the catholics was, indeed, made by the establishment of the college of Maynooth; but a weak half measure only provoked contempt, and in its results it proved a source of mischief. Every other act of the Castle and of the dependent parliament showed a purpose to retain the old ascendancy of creed and the lately shaken system of force and corruption. Fitzgibbon was given the historic earldom of Clare; he bestrode Lord Camden who had succeeded Fitzwilliam, and the whole body of officials in power; and turned the vast resources of a centralised government to keeping catholic disaffection under, and to quelling agitation in presbyterian Ulster. The parliament in College Green, swayed by the usual methods, eagerly turned its back on the new policy; rejected Grattan's measure for catholic relief and every liberal measure of the kind; and affirmed the reckless arguments of men who urged that all concessions had become impossible and were inconsistent with the existing order of things in Ireland. Ere long a formidable movement sprang up in the north, which illustrated, in the minds of thousands at least, the harsh iniquity of the present mode of government. A savage feud had been raging for years, in two or three of the Ulster counties, between the protestant and catholic tillers of the soil; and it had become intense, and deeply stained with blood, as catholic emancipation appeared at hand. The Society of Orangemen was now formed to put the Catholic Defenders,

as they were named, down; it was largely supported by the local gentry and even, perhaps, by men at the Castle; and though many crimes were committed on both sides, it was guilty of excesses of the worst kind, and it gradually acquired a wide-spread ascendancy. Thousands of catholic peasants were driven from their homes; their meetings were broken up in the name of law; whole tracts they had held were 'planted' by their triumphant enemies; and, in numbers of instances, affrighted defenders were thrust on board men-of-war by partisan magistrates, and forced to adopt a detested service. A loud cry arose in the catholic parts of Ulster that the evil days of Cromwell had come again, with the choice, to the 'papist,' of 'hell or Connaught;' and a suspicion spread wide that the work of proscription and extermination was a dark plot of the government.

The recall of Lord Fitzwilliam, the rule of Fitzgibbon, and especially the wrongs of the Ulster catholics, quickened the forces of disorder and trouble in Ireland, and, in a great measure, transformed their character. By this time part of the new leaders of catholic Ireland had joined hands with the violent malcontents of the north, though the presbyterian element was to the last predominant among the United Irishmen; and the organisation had begun to spread in Leinster, in Munster, and even in parts of Connaught. The objects of the men of Ulster were still, in the main, political—democratic reforms on the French model; those of the catholics were, for the most part, agrarian—a social war against rent and tithes, and the destruction of the rights of protestant landlords; but the rise of the Orange faction and the persecution of the Catholic Defenders gave a new turn, and even a new aspect, to the converging movement. The United Irishmen had hitherto tried to lessen the fierce animosities of sect in Ireland and to smooth away the divisions of race; their faith had been that Saxon and Celt should forget the feuds of the past and become brothers, and that this union only would secure their rights; and many were animated by a genuine love of country, if the French idea of fraternity proved a part of it. But when the savage religious war in the north broke out, it was seen that this high aspiration was vain; and when it had become manifest that the Orange faction received the support of the Castle and the ruling caste, and that the Defenders were banned and oppressed, the leaders visibly inclined to the catholic side, and the more ardent spirits conceived that, in this way, a formidable power might be arrayed to promote the objects they had at heart. The catholics were enrolled in thousands among the United Irishmen; the word went forth that this was the only means of safety from enemies hated and feared; and by the spring of 1796 the far-spreading league formed a confederation immense in numbers, which drew into itself multitudes in the southern pro-

vinces. Meanwhile the decisive success of France in 1794-95 had given a powerful impetus to the whole movement; and the United Irish leaders began to look for aid to the great power which had always possessed their sympathies, had overcome kingly and aristocratic Europe, and was proclaiming liberty and the fall of privilege over the ruin of prostrate altars and thrones. For some years discontented Ireland had held relations with revolutionary France; French emissaries had gone through the country; members of the half Jacobin clubs of Belfast had been well received by their fellows in Paris; and the Irish catholic leaders had found friends among the men engaged in a fierce strife with England. The movement now became much stronger; a constant communication was maintained between the United Irishmen and the French government; and, owing partly to the terrible state of Ireland, which seemed to make constitutional change hopeless, and partly to the influence of French sympathy, an agitation, which had aimed at reform only, became treasonable by degrees and distinctly rebellious. The confederacy, in its origin a civil league, had a military organisation engrafted on it; arms were collected and stored in quantities; and thousands of recruits were arrayed and drilled, especially among the catholic masses, to take part in a rising, should the occasion offer. The most prominent figure of the new party of action was Wolfe Tone, a really able man, and a conspirator of no ordinary power. This enthusiast had been compelled to leave Ireland; he had taken refuge in Paris; and his evident gifts and strong character made a profound impression on Carnot and Hoche, the second general of France. He persuaded the French government that a descent on Ireland would be attended by a universal rising, and he obtained from it a pledge of armed assistance.

Three forces, therefore—presbyterian discontent, catholic disaffection, and French invasion—had begun to threaten British rule in Ireland; and, had they united, they would have overthrown it for a time. The first and greatest attempt made by France failed, though accidents only prevented its success. In December 1796 a large French fleet, with 15,000 good troops on board, under the command of Hoche, put to sea from Brest; and, after a series of misadventures, in which the ship of Hoche parted company with the main squadron, it reached Bantry Bay, at the extreme verge of Munster. Had the enemy landed, the country would have been overrun, and Cork, and probably Limerick, would have fallen; but Grouchy, the chief lieutenant of Hoche, was as irresolute as he was on the day of Waterloo; an Atlantic tempest was too much for French seamanship; and the formidable armament returned to its ports, having accomplished nothing, and largely reduced in numbers. The danger, however, was by no means past: the great mutiny at the Nore soon afterwards broke out; and Tone, who had taken

part in the expedition from Brest, made passionate efforts to induce the French Directory to seize the occasion and repeat the enterprise. Having failed in this, the bold rebel betook himself, at the request of Hoche, to the Dutch fleet on the Texel ; but the sudden death of that eminent man, who, unlike Bonaparte, had the republican faith in the efficacy and value of popular risings, and the great victory of Duncan at Camperdown put an end to the prospects of French descents on Ireland.

The state of that country during these months of peril had been remarkable, and still deserves attention. The peasantry did not welcome the French at Bantry ; Cork and Limerick sent loyal addresses to the crown ; and catholic Ireland, in fact, hardly stirred, though parts of it were on the verge of rebellion, for it was essentially a huge, inert mass that required the impulse of energetic leaders. But where the United Irishmen had established their power, presbyterian Ulster was violently moved, and an armed insurrection appeared imminent. By this time Belfast and other towns of the north had become centres of scarcely veiled treason ; an incendiary press invoked the aid of France ; fierce and daring men had come to the front, had thrust aside timid and scrupulous colleagues, and had planned and prepared a widespread rising ; whole tracts of country had been organised, and thousands of peasants had been drilled and told off in readiness for a summons to the field. Crime and disorder, too, as has always happened, followed in the track of the rebellious movement ; even in Ulster outrages had become frequent ; and the sympathy of whole districts of the catholic south was proved by reiterated deeds of blood and by a far-spreading servile agrarian war. In these circumstances the government took strong measures of self-defence and repression ; and if history sees much to condemn in their conduct, it should bear in mind what the situation was, and make allowances for the terror and passions of the hour. Lord Clare, easily supreme at the Castle, had now a completely free hand ; his rival, Grattan, had for months endeavoured alike to check the excesses of men in power, to warn the country against the United Irishmen, and to advocate a healing and remedial policy ; but he had disappeared from the scene with his followers, the fate of true patriots at such crises ; and the parliament in College Green, throwing off all semblance of moderation, and carried away by its fears, had shown the natural tendencies of a ruling caste, had passed coercive laws of atrocious harshness, and had proved itself willing to back the executive in any severities however lawless. Clare addressed himself to put Ulster down : he succeeded after a brief struggle ; and if the means he employed cannot be justified, he certainly averted a real danger ; and it is but fair to say that the Irish government had not the support of a trained police force, and

disposed of a fraction only of the regular army. Arms were placed without stint in the hands of the Orangemen; large bodies of volunteers were enrolled; and these levies were let loose over wide districts to enforce the surrender of concealed weapons, and to destroy the material, so to speak, of rebellion. Frightful cruelties were committed in this stern work; thousands of houses were burnt without scruple; many peasants were slaughtered, and hundreds of victims were swept off to serve in the fleet; rapine, violence, and terror had full swing, and martial law gave free scope to unbridled licence. Meanwhile the seditious press was summarily quelled, and a sudden swoop on the chief of the Ulster leaders deprived rebellion of its heads in the north.

Though smouldering with insurrectionary fires, the southern provinces had not broken out while the flames were being quenched in the north. The United Irish movement, in fact, outside Ulster had no strength in more than seven or eight counties; it was feeble in Munster, and scarcely reached Connaught; and though, mainly owing to fear of the Orangemen, the 'Irish army' had catholic recruits in thousands, the agitation in the south continued to be a social war. A rebel executive, however, was seated in Dublin; and had France given effective aid, there would probably have been a great Celtic rising like that of 1641 and 1689. Clare struck down the conspirators of the south in turn; the Castle had a staff of informers and spies, as has always been the case in Irish troubles; and the arrest of Lord Edward Fitzgerald—a very inferior man, though a hero in the legends of 1798—was followed by the arrest of most of the southern leaders. The south was now, on the surface, quiescent; but Clare resolved to stifle sedition in blood; and, with his satellites at the Castle, he set in motion a regular system of terror in order to force crushed rebellion to show its head. The acts of violence which had been done in Ulster were repeated on a larger scale and with increased severity; and it is sickening to read of the burnings, the tortures, the outrages committed in the name of law, the savage recklessness of undisciplined armed men, in short, the revolting cruelties and the shameful wrongs perpetrated far and wide at this juncture, and justified by Clare with cynical coolness. This evil statecraft attained its ends; but it has never been forgiven where its results were witnessed. The peasantry of Kildare, of Wicklow, of Wexford, infuriated by sufferings they could bear no longer, rose wildly in the spring of 1798; and it deserves special notice that these were a people, for the most part, of Anglo-Saxon blood, and much more prosperous than the Celts of the west. The loose and ill-armed multitudes found leaders, for the most part, in fierce young catholic priests; and, as they were victorious in some petty skirmishes, they swelled into formidable numbers, and by degrees acquired something like military power and discipline.

I cannot describe the rebellion of 1798, a dark page in a gloomy volume of history. It resembled the great risings of the century before, but was confined to a mere corner of Leinster; and, like every struggle of the kind in Ireland, it became eventually a religious and agrarian war, in which the catholic confronted the ruling protestant, and the occupier of the soil fought against his landlord. Frightful atrocities must be laid to the charge of both sides; one of the richest and loveliest tracts of Ireland was a desolate Acel-dama for several months, and witnessed deeds like those of Cawn-pore; and the barbarities of the rebels were at least equalled by the savagery and licentiousness of the enraged loyalists. The struggle was long doubtful, for the peasant levies were at first opposed only by a raw militia and by a yeomanry demoralised and without discipline; one of the priests showed real skill in command; and Dublin was for some days in peril when the rebel army advanced to Arklow. All was soon over, however, when regular troops and powerful auxiliaries appeared on the field; and the insurrection sank in ashes and blood. It was a terrible and disastrous drama; and yet it has scenes and passages of no little interest. More than one of the Irish leaders rose to fame in arms, under Napoleon or in the far west; the peasantry at New Ross rushed to death with a courage and constancy praised by veteran officers; the spirit of the volunteers of 1782 reappeared in the bands of determined citizens who stood to arms to defend the capital; the rebel government of Wexford treated the town and its loyal inhabitants with a clemency unhappily not returned after a change of fortune. It was characteristic, too, of movements of the kind that two or three of the insurrectionary chiefs were gentlemen of birth beloved by the peasantry; and many of the clergy of either faith were fruitful of good works and of deeds of charity.

The rest of the southern provinces had scarcely stirred while a civil war had been raging in Leinster. Ulster, too, hardly showed a sign of rebellion, and the causes of this deserve attention. The chief reason unquestionably was that when the conflict in Wexford assumed the aspect of an agrarian and a religious strife, the presbyterians of the north turned away from it; they had other aims than the plunder of protestant landlords, and they could have no sympathy with a savage popish rising; and the deeply marked division of race and creed, which is the most distinctive feature of Irish history, prevented a union which might have been most perilous. Other causes, however, certainly concurred; the insurrectionary leaders had been put down, and Ulster had begun to resent the unfriendly attitude of France at this time towards the United States, and feared the tendencies to conquest of the French republic. In 1798 Bonaparte set off for Egypt; the warrior of Rivoli had no taste for a miserable guerrilla struggle in Ireland; the main French

fleet was destroyed at the Nile, and Humbert landed a few hundred men only at the edge of Connaught, when it was too late. This petty invasion, to be remembered chiefly for the ignominious rout of a worthless militia by a handful of men of the army of Italy, was ultimately crushed by overwhelming forces, and for the capture of Wolfe Tone, the one man of power among the rebel chiefs, whose tragic death England may in these days regret, for it was that of a daring and persevering enemy. The forces which might have wrested Ireland from Great Britain had thus failed to combine, and had been subdued; but undoubtedly our rule had been in greater danger than it had been since the days of Derry and the Boyne.

By the autumn of 1798 the rebellion had ceased; Ireland was now flooded with regular troops; and the restoration of quiet ought to have been made the occasion for disbanding the lawless volunteer yeomanry, for sending the licentious militia to their homes, and for measures of large and generous clemency. This would not, however, have suited the exulting loyalists, bent, with the instincts of a dominant caste, on wreaking a bloody vengeance on a people they despised, and a detestable white terror prevailed for a time, like that of the frenzied *émigrés* after Waterloo. The dregs of the rising still seethed in Wicklow amidst its difficult hills and defiles, and this was made the opportunity for keeping up military rule over large parts of the country, for maintaining martial law and all that it implies, for the system of slaughter, exaction, licence, and cruelty which even open rebellion had not justified. Meanwhile the Houses at College Green, at the bidding of Clare, had given their sanction to all that was going on; the dreams of liberalism, the hopes of reform had disappeared in the presence of overwhelming fear, and the party of ascendancy not only enacted fresh coercive measures of extreme harshness, but covered the excesses of violence and wrong by Indemnity Acts of shameful injustice. Pitt by this time had done the one thing which does credit to him at this evil time in Ireland: he had replaced the feeble Camden by the experienced Cornwallis, who, though not a man of supreme ability, had some of the gifts of a soldier and statesman. Cornwallis, in some degree, was a check on Clare; he enforced a policy of mercy which, if hardly sufficient, had nevertheless the best effects, and in a few months he could announce to Pitt that Ireland was in comparative repose. His correspondence gives the best account of the ruling party in Ireland at this juncture; he had traditions of Culloden, and had held high command in America in what was a civil war, but the humane soldier declared that 'our friends' were the 'most ferocious' beings he had ever known, and he could scarcely conceal his 'disgust' and aversion. Such, however, from the days of Coreycra to those of the Indian mutiny, has always been the

conduct of a dominant caste in its hour of triumph over a vanquished race which has risen against it and proved dangerous.

The men at the Castle, with Clare at their head, had forestalled and extinguished a dangerous rising; and they are entitled to plead that their severe measures restricted the area and broke the force of a civil war which might have become general. Every just allowance, too, should be made; a government is bound to maintain order; it cannot be nice in its dealings with traitors; the French revolution made the situation perilous, and, as I have pointed out, there was no trained force of police in Ireland, and only a handful of soldiers. Still the deeds of lawlessness and of systematic cruelty which were committed and sanctioned cannot be justified; the wicked policy of forcing rebellion to break out, in order to crush it, admits of no excuse; the licence that ran riot might have been checked; the parliament disgraced itself by its Indemnity Acts, and a merciless military rule continued for months after armed resistance had ended. It is a significant fact that Abercromby, a true soldier, and, like a true soldier, humane, spoke out against the conduct of Clare and his faction; declared that the movement had been magnified by interested malice and false alarms; and asserted that Ireland, if left alone, would not take up arms and rush into civil war; and it is significant, too, that the enraged chancellor denounced the commander-in-chief as 'a Scotch beast,' and never rested until he was out of his office. It should be added that although Grattan and the regular opposition had retired from the parliament, several distinguished Irishmen made an earnest protest against the system of terror that was adopted; and a very large number of the local gentry resented and condemned the barbarities they beheld, especially the licentiousness of the irregular troops; for a landed aristocracy, though an ascendant caste, has always ruled more mercifully than the bureaucratic staff of a centralised power not in touch with the people. It is still, too, perhaps an open question whether the rebellion would have occurred at all, had not the country been dragooned and terrorised; the United Irish leaders maintained this view on a solemn occasion when all was over; and though much stress is not to be laid on the fact, it is remarkable, at least, that the French at Bantry received no aid or sympathy from catholic Munster. The conduct of Pitt through these terrible months deserves, I think, the censure of impartial history. The infamous charge may, no doubt, be dismissed, that he encouraged the rebellion to promote a union, and rejoiced that Irishmen tore each other to pieces; he was not a Borgia, but an English statesman. He did not, moreover, directly rule Ireland, and, burdened as he was with the weight of empire and with the appalling cares of a disastrous war, Ireland was not in his eyes of supreme importance. But he ought not to have been unmindful of the deeds of shame which were

perpetrated when the rebellion broke out; and he was greatly to blame for not sending at once a body of troops to Ireland to put the rising down with a stern but orderly hand, and with a regard to humanity and to all that preserves the state. It is to be feared that in everything that related to Irish affairs he gave a free rein to Clare, who had been his most trusted adviser for many years.

Pitt now addressed himself to carry out the union which he had had in view since 1791-92. The time was propitious to make the attempt; and the minister seized the occasion, though his hand trembled. The danger to the empire of a French invasion of Ireland, and of such a rebellion as had just been witnessed, under a legislature and an executive seated in Dublin, had become apparent to most English statesmen; and Pitt sincerely believed that a union would lead to a happy solution of the difficult problems arising from the state of the Irish community. A part, too, of the ruling protestant caste—Clare swayed it by his commanding powers—saw in a union the only hope of security for their estates and their church after recent events; and the few loyalist leaders of catholic Ireland were convinced that the best chance of obtaining their rights lay in the moderation and strength of an imperial parliament. The Irish parliament, besides, had lost its authority; it had become a mere registry of the will of the Castle; the secession of Grattan had done it infinite harm; it was overshadowed by the rule of the sword, of which it was the submissive minister; it was detested by five-sixths of the people; public opinion, in Ireland always feeble, through passion and fear had ceased to exist; and there was not a trace of the national sentiment which had inspired the movement of 1782. Pitt undoubtedly wished to place the union on broad, well-conceived, and equal foundations; he had intended to make the emancipation of catholic Ireland one of its conditions and chief features; and he had hoped to associate it with the commutation of the tithe and with a measure for endowing the Irish priesthood. But he knew that he would be crossed by the will of the king; he received little support from doubting colleagues; he yielded to the prayers or the dictation of Clare; and he unhappily formed a plan for a 'Protestant Union'—that is, he simply merged the Irish into an imperial parliament, leaving protestant ascendancy wholly intact, and relegating to the future the remedial policy for the mass of the Irish people which he had in view. Cornwallis protested against this half-hearted policy; but the charge is unfair that Pitt wilfully deceived the Irish catholics in the first instance; he gave their leaders notice that he could not make a union the occasion for conceding their claims, though he led them to expect much from a united parliament. The lord lieutenant and Castlereagh, just made

chief secretary, devoted the last months of 1798 to feeling their way to accomplish the measure and to ascertaining the drift of Irish opinion. They obtained the approval of great absentee and borough-owning nobles, and of other personages of power in the House of Commons; and the hierarchy and most of the laymen of catholic Ireland declared for the union. But an immense majority of the Irish protestants, of all classes, resisted the scheme: politicians because it would impair their prospects; the landed gentry because it might lessen their influence; the close corporations because it crossed their privileges; all because it threatened the ascendancy of their creed. Dublin, too, and that powerful body, the Irish bar, pronounced decisively against the measure; and a considerable number of the Irish catholics, who foresaw that, through the great act of 1793, they might become supreme in a legislature at home, but would be probably swamped in an imperial parliament, took an attitude of hostility towards a union. O'Connell, then little more than a youth, first made his mark in this opposition; and the ablest of the catholics probably inclined to this side. As for the great body of the people, of every communion, they had suffered so much in the late rebellion that they remained, for the most part, inert and indifferent.

This state of opinion was truly reflected, in the first instance, in the Irish House of Commons. The king's speech, when the session of 1799 opened, contained a reference to Pitt's intended measure; the address was carried by two votes; but an amendment, directed against a union, was supported by 111 members against 106. If we recollect that a few nobles, who had promised, for the most part, to assist the minister and the executive, possessed an overwhelming influence on almost all occasions in the assembly at College Green, these figures point to but one conclusion: protestant Ireland at this time rejected the change. Pitt, however, did not desist from his purpose; he obtained an immense majority in the British House of Commons in favour of the policy on which he was bent; and Castlereagh announced that the government would put forth its whole strength to accomplish a union. It is idle to assert, with thoughtless partisans, that illegitimate and evil means were not employed without scruple to promote the measure. Direct bribery in money was not, perhaps, attempted; and the purchase of boroughs which had been for centuries the property of patrons, sanctioned by usage, was not without precedent, and was justifiable in that age. But peerages, offices, and pensions were bestowed on a lavish scale to procure aid for the scheme; and members of the House of Commons opposed to it were dismissed from posts they held under the government. The letters of Cornwallis, in which he complains 'of the dirty work' he was compelled to do, and of Castlereagh who

avowed that it is well 'to buy up the fee simple of Irish corruption at once,' prove a fact as certain as any in history, and the Irish House of Commons was successfully packed to vote down resistance to the will of the minister. The conduct of Pitt in another direction seems to me to have been even more questionable. He gave no pledges in person to the Irish catholics; his speeches, indeed, as regards their claims, at this juncture, are studiously vague: but he encouraged Cornwallis to bespeak their support and to dangle fair prospects before their eyes; he left their leaders convinced that he would bring in a measure for their emancipation in the imperial parliament, and carry it through by his supreme authority; and, in the events which happened, this cannot be justified. Through these expedients the Irish parliament was made safe, and catholic Ireland was to a great extent won over to give its voice for the union. It should be added that more legitimate means were adopted to work on Irish opinion; Cornwallis went on progress through several counties to advocate the ministerial policy; and the union was supported at public meetings, and by a literature and a press not without merit. The Irish protestants, too, began gradually to relax in their opposition to the proposed scheme; some of their leaders were unwilling to incense the government; many held different views on the catholic question; and the majority probably felt that, as a ruling caste, they could not place trust in a subject race, and that they would do well to yield to the will of England, their only real protector in the hour of danger. The cause of the union made distinct progress in protestant Ireland as the end drew near, though it still was resisted by its best men; and the great body of the people never shook off the apathy on the subject they had shown from the first.

In this condition of affairs the ultimate success of the efforts of the government could be hardly doubtful. In a division which took place on the speech from the throne at the opening of the session of 1800, a protest of the opposition against a union was rejected by more than forty votes; corruption and influence had completely changed the balance of power in the Irish House of Commons. A few days afterwards resolutions, translated in time into a formal statute, in favour of a union, were brought in by Castlereagh; the struggle in the parliament at College Green lasted for months, but Pitt had an easy triumph at Westminster. The measure proposed was a very imperfect scheme: it merely combined the two legislatures, and did not try to combine the two countries; it left Ireland, in theory, a distinct kingdom, with an executive of its own, its own laws, and law courts—nay, even with a separate exchequer, for a time. While the established church, too, was fenced round by jealous safeguards, and it was perfectly understood that the ascendant caste were to be secured in their rights

and their lands, nothing was done for presbyterian and catholic Ireland; though it was known that Pitt favoured the catholic claims, wished to commute the tithes, and to endow the priesthood. This was not the broad and statesmanlike project which the minister originally had in view; and if a union, as I think, had become necessary, and was essential to the repose and progress of Ireland, it is deplorable that it was a half and a one-sided measure. I cannot dwell on the debates of the Irish parliament while the protracted conflict was going on; but, as well as those of the British parliament, they still possess much interest. Grattan, who had been under the ban of the Castle, and narrowly escaped prosecution in 1798, returned to the scene of his former glories, denounced the union in passionate language, and uttered predictions since largely fulfilled. Clare spoke out the fears of the ruling class, declared that a union was the only way to secure property obtained through unforgiven conquests, and assailed the catholics of Ireland in fierce words of scorn; but to the present generation of Irish landlords his assurances sound like ironical mockery. Foster, the Speaker, and a very able man, a representative of the school of Flood, examined the question in its financial and constitutional aspects in weighty arguments; but he betrayed much jealousy of catholic Ireland, and this shows how difficult was the position of his order. On the side of the government Castlereagh pointed out clearly the mischief of the twofold legislature and the double executive, which weakened the state in Great Britain and Ireland; and he was untiring in contending that, in its ultimate results, a union would do good to the lesser country. Pitt at Westminster enlarged on the same topics, and illustrated them in his lucid and stately style; but we see his want of knowledge of Irish affairs in his confident prophecy that Irish faction and the animosities of race and sect in Ireland would disappear under imperial rule. Many other eloquent speeches were made; and the ferocious invectives and fierce declamation of Plunket, afterwards one of the most sedate and logical of renowned orators, show how exasperated were the passions of the hour. The state of Irish opinion did not change during the progress of the strife at College Green; there was no explosion of popular sentiment in answer to Grattan's fiery appeals; and the cause of the opposition did not improve. Dublin still continued to condemn the measure; there was much agitation in the lesser protestant towns; and the local gentry generally disliked the union. But the higher aristocracy had been bought or convinced; the Irish catholics, when not passive, supported all through a scheme from which they had been persuaded to expect much; and the country as a whole remained indifferent. Nevertheless, a severe repressive measure passed to check disorder which had broken out afresh—the last drops of the tempest of 1798,—the

presence of an imposing army in Ireland, and the refusal of the government to allow the question to be decided by the Irish electorate, gave colour to an assertion, often repeated since, that the union was forced on Ireland against her will. The measure ultimately became law by increasing majorities.

Wrong was done in carrying out the union; a corrupt parliament was corruptly bought; compulsion and deception were not wanting; and these things deserve the censure of history. But when it is said that 'Irish liberty was strangled in its sleep;' that 'Irish nationality was destroyed by fraud;' that 'Ireland, as a people, was against the union,' nay, that Pitt's whole policy 'was a scheme of wickedness,' exaggerations like these need hardly be noticed. Had the measure been associated with the great reforms which the minister certainly had in view, the bad means he sanctioned would have been soon forgotten, and the opposition to it would have been less than it was. Nay, had Pitt, when he attained his object, insisted on pressing upon the imperial parliament the enlightened policy he had proposed to himself; had he determined on conceding the catholic claims, on commuting the tithes of the Irish establishment, and on endowing the Irish catholic church, he would have given effect, as I think was his duty, to the hopes which he had actually held out through his subordinates to the Irish catholics; and he would have placed his great measure on the solid basis of justice and right—even though delayed. Unhappily he turned aside from the true course; he allowed the obstinate and half-mad king to put a veto on his whole Irish policy, and to forbid even a reference to the catholic question; and it is impossible to excuse this deplorable conduct. Pitt had known for years that George III could not endure the mention of the catholic claims; but he knew also that George III had yielded on many occasions if really pressed. This being the case, he ought either to have kept the question of the union absolutely distinct from that of reforms connected with it, and to have taken care that Cornwallis should not hold out the prospect of relief to the Irish catholics, and canvass for their support in the same breath; or, having accomplished the union, he should have put stress on the king to consent to measures which he knew should form a part of it, which he had associated with it in his own mind, and the carrying out of which, as affairs stood, was practically an obligation of personal honour. He acted, on the contrary, as if he chiefly thought of securing the union in any event, and then eluding the fulfilment of one of its terms; his conduct at best was vacillating and not straightforward; and if he did not break faith directly with catholic Ireland, he laid himself open to grave suspicions, and the results were in a high degree disastrous. The circumstance that he resigned office at the first sign of opposition on the part of the king can hardly, I think,

make his case better ; he ought to have persisted, and he would have succeeded—all the chances at least were in his favour ; and, besides, he soon afterwards gave a distinct pledge that he would not trouble his master with the catholic claims, and within three years he was again minister, thus laying his conduct open to the charge of perfidy. This accusation is too severe ; but the attitude of Pitt throughout these events was painfully ambiguous, and at least unfortunate. The best excuse that can be made for him is that there was a vein of weakness in that proud nature ; that he knew very little about Ireland ; that he did not understand how much was involved in his refusal to insist on the necessary reforms which ought to have been essential parts of the union ; that he did not fully realise to what extent he was morally bound to the Irish catholics ; that he was perplexed and short-sighted, but not false or treacherous.

WILLIAM O'CONNOR MORRIS.

Notes and Documents

THE OLD ENGLISH CHARTERS TO ST. DENIS.

IN 1625 Doublet printed at the end of his history of the abbey of St. Denis a valuable series of 600 charters derived from the archives of that famous monastery.¹ Doublet was, in Mabillon's words, *bonus ac simplex*,² printing in an uncritical way whatsoever came into his hands. Hence he included many palpable forgeries of Merovingian and other charters, which were to a large extent the source of Papebroch's too universal disbelief in the authenticity of early monastic charters.³ Papebroch's conclusions were contested by Mabillon, whose great work was in a great measure founded upon the archives of St. Denis.⁴ The question of the authenticity of some of the charters printed by Doublet, which still excites keen interest, will probably continue to be disputed until the Germans or French produce a satisfactory collection of the early charters that are the common property of both, for, as in the case of our own early charters, no competently edited collection of them has yet appeared.

We are not, however, now concerned with these charters, but with six charters printed by Doublet that profess to emanate from England. For two of these charters we possess only Doublet's texts, but the originals of the others are still preserved amongst the 'Archives de France' at the 'Hôtel de Soubise,' Paris. Sir Robert Cotton was acquainted with these charters, and Duchesne supplied transcripts of them from the chartulary of St. Denis to Dugdale, by whom two of them were printed in the 'Monasticon.'⁵ Kemble in forming his 'Codex Diplomaticus Aevi Saxonici' overlooked these texts, so that none of these charters appears in his

¹ *Histoire de l'abbaye de S. Denys . . . par F. Jacques Doublet, religieux de ladite Abbaye.* Paris, 1625, 4to.

² *De re diplomatica*, III. c. ii. § 5. See also Karl Pertz's introduction to the Merovingian charters in the *Monumenta*, p. 9.

³ *Propylagium Antiquarium circa veri ac falsi discrimen in vetustis membranis* prefixed to *Acta Sanctorum*, 2 April.

⁴ *De re diplomatica*, Paris, 1681, folio.

⁵ See *Monumenta Historiae Germaniae: Diplomatum I.*, besprochen von Th. Sickel: Vienna, 1873, 8vo.

collection.⁶ It is curious that no Englishman seems to have examined these interesting charters until Sir Frederic Madden did so in 1838. As a result of his inspection, he published the text of the two earliest existing charters, and expressed himself 'satisfied of their genuine character.'⁷ As I labour under the disadvantage of not having seen the originals or facsimiles of these charters, it may seem rash of me to question their authenticity after their examination by so great a scholar as Sir Frederic Madden. But the language and the contents of the four earlier of these charters, with which I am now solely concerned, are so contrary to our genuine Old English charters that it seems to me incredible that any one acquainted with Old English or with our early charters could for one moment imagine that they were the work of English scribes. Yet they are included without a word of warning in Mr. W. de G. Birch's '*Chartularium Saxonicum*.' That they have been accepted by French palæographers as genuine is, no doubt, to be explained by the facts that they agree with the Frankish standards and that they lie so far outside the provinces of all the French scholars who have edited them.

Before proceeding further, it will be convenient to give a list of the charters now in question, adding in brackets the reference to the *Archives de France*. They are as follows:

I. (Now lost.) A.D. 795. A grant from *Dux* Berhtualdus to St. Denis of land at *Ridrefelda in pago qui nuncupatur Successa*, and of the ports of *Hastingas* and *Paevenisel*, printed in Doublet, p. 718; '*Monasticon*,' vi. 1077; Birch, '*Cart. Sax.*' i. 350.

II. (K. 7, No. 10.) A.D. 790. Confirmation by King Offa to St. Denis of lands in the port of Lundenuuic given by the brothers Agonauurla and Sigrinus, and of the preceding grant, printed in Doublet, p. 720; Michel Felibien, '*Histoire de l'abbaye royale de Saint-Denys en France*,' Paris, 1706, folio, pièces justificatives, p. xlii, No. lxii.; Madden, '*Arch. Journal*, xxxiii. 361; J. Tardif, '*Archives de l'Empire: Les Monuments Historiques*,' 1866, p. 68; Birch, '*Cart. Sax.*' i. 360. Described in Brequigny, '*Table Chronologique des Diplomes*,' etc., Paris, 1769 etc., folio, i. 123; appendix D. to Cooper's (unpublished) '*Report on Rymer's Foedera*,' p. 139.

III. (Lost.) A.D. 857. Confirmation by King Aedeluulfus of the possessions of St. Denis in *Ridrefelda*, *Hasingas*, *Pevenisel*, and *Lundenuuic*, printed in Doublet, p. 785; Birch, ii. 97.

IV. (K. 17, No. 3.) A.D. 960. Restitution by King Ædgard of goods taken from the possessions of St. Denis in *Hastengas* and

⁶ Kemble must have gone through the *Monasticon* very carelessly, for he overlooked the important charter relating to Wulfrún's foundation of the monastery at Wolverhampton (*Wulfrúne-hāmtūn*) printed in vi. 1443.

⁷ *Archæological Journal*, xiii. 356.

Pevenisel, printed in Doublet, p. 817; Felibien, p. lxxix, No. cv.; Bouquet, 'Recueil des Historiens des Gaules et de la France,' ix. 397; Madden, 'Arch. Journ.' xxxiii. 366; Tardif, p. 146; Birch, iii. 277. Described in Brequigny, i. 432; App. D. to Cooper's 'Report,' p. 139.

V. (K. 19, No. 6.) A.D. 1059. Grant by Edward the Confessor to St. Denis of Teintun (co. Oxford), printed in Doublet, p. 831; Felibien, p. lxxv, No. cxii.; 'Monasticon,' vi. 1077; Bouquet, xi. 655; Tardif, p. 171. Described in Brequigny, ii. 70; App. D. to Cooper's 'Report,' p. 139. Attached to this charter are two others in Old English (called by Doublet *vielle langue Esclauone*!), which Doublet did not print owing to want of type. He, however, gave Latin translations of them by Camden. They are printed in Bouquet, who gives rather inaccurate facsimiles of them, and by Tardif.

VI. (K. 20, No. 5.) A.D. 1069, 13 April. Grant by William the Conqueror to St. Denis of the church of Derhest, co. Gloucester, and confirmation of the preceding grant, printed by Doublet, p. 839; Felibien, p. lxxxviii, No. cxv.; Tardif, p. 179. Described in Brequigny, ii. 113; App. D. to Cooper's 'Report,' p. 139.

I have said that it is incredible that any Old English scholar could regard the earlier of these charters as the work of English scribes. The orthographies of the English words therein contained are so contrary to Old English phonology that it will not be necessary for me to go very deeply into this question. The name of Rotherfield is written *Ridrefelda* in the first four deeds, and once in No. I as *Radrefelda*. The Old English form of this name was *æt Hryðra-felda*⁸ ('at the field of oxen'). The dropping of the initial *h* and the weakening of the gen. pl. *a* into *e* had not occurred in O.E. at the dates of these charters. Then we have O.E. *Pefenesca* (Pevensey) written *Pevenesel*, *Pavenisel* in No. I, *Pevenisel* in Nos. II, III, and IV. This is also an impossible English spelling, but it is precisely the form used by the Norman scribes to represent the English sound.⁹ It is quite as impossible to accept *Successa* in Nos. I and II as English spellings of *Saðseaxa*, gen. pl. (Sussex). The spelling *ch* to represent the O.E. palatal *c* was not introduced until the Norman Conquest, yet we have *Chichestra* in No. I for O.E. *Cissan-ceastre* in A.D. 795. Then in No. I we have the impossible O.E. personal name *Æan-fric* (blundered for *Æan-frið*?), whilst in No. II we read of two brothers named *Agonauuala* and *Sigrinus*

⁸ It occurs as *æt Hryðra-felda* in the will of Æthelstan Ætheling, A.D. 1015 (Kemble, *Cod. Dipl.* iii. 362, 35; Earle, *Land Charters*, pp. 225, 17), and as *æt Hryðran-felda* in King Alfred's will, A.D. 880-885; Kemble, ii. 115, 9; *Cart. Sax.* ii. 178, 21; Earle, pp. 147, 2 (from a late MS.)

⁹ *Domesday*, i. 19 b, col. 1, &c., *Pevenesel*. This form also occurs in Benoît, *Chroniques*, 37035, and in *Rot. Chartarum*, p. 94, A.D. 1201. The perverted form *Peneuesel* (*Peuenesel*?) occurs in Wace, *Roman de Rou*, ii. 6632, Robert de Torigni, i. 72, Benoît, 37992. Similarly Domesday writes *Romenel* for O.E. *Rumenēa* (Romney), *Gravenel* for O.E. *Grāfanēa* (Graveney), and Benoît has *Wincenesel* for Winchilsea.

dwelling in London (*Lundenwic*).¹⁰ Their names, again, are not English, but it may, of course, be pleaded that the brothers were not necessarily Englishmen.¹¹ In No. IV we have *Ædgarðus*, *Edgardi*, which Madden (p. 366) acknowledges to be a Frankish form, for O.E. *Ēadgār*, and king's reeve bears the un-English name *Togred*.¹² We have thus proofs of Frankish influence.

A strong proof of the Frankish origin of Nos. II and IV is to be found in the Latin in which they are written. Here we have spellings derived from vulgar-Latin that are common enough in early Frankish charters,¹³ but are unknown in genuine English charters. The vulgar-Latin close *o* (from Latin *ō*, *ū*) is represented by *u*, and V.L. open *o* (from Latin *ō*) also by *u*, as in No II, *munnumentum*, *numcupatur*, *munasterio*, *munachorum*, and in No. IV, *Anglurum*, *gluriosus*, *munasterii*, *preciosorum*, *Diunisiū*, *honorifice*, *ulim*, *prepusito*, *buues* (boves), *eurum*, *perhorrescens*, *dispunant*, *nustrum*, *putestate*, *pussessio*, *munachus*, whilst V.L. closed *o* is retained in *sepolcra* and *excobant*. Such spellings are common in Frankish deeds up to the ninth century, but are not to be expected in this profusion in the tenth.

But we have not only this strong evidence of Frankish origin, but even more conclusive testimony that the four earlier charters were fabricated in France. This is to be found in the imitation of *formulae* of the Frankish chancery, which are altogether unknown in genuine Old English charters. One of the most marked contrasts between Frankish and Old English charters is that the former mention the writer of the charter, and the latter never do.¹⁴ Yet

¹⁰ Madden (*Arch. Journal*, xiii. 359, n. 3) explains this as meaning Sandwich, in which he is followed by Birch. This arises from a baseless connexion of this grant with the Rotherfield and Pevensey grant. But it is quite a separate grant, and there can be no valid reason for holding *Lundenwic* to mean any other place than London, which is called by this very name in the laws of Hlōðhere and Eadric, c. 16 (*Schmid, Gesetze*, p. 14), in Chron. A, anno 604, and in other cases. This needless suggestion of Madden's has led Mr. Birch to the even more needless one that the *vicus Lundenie* of 857, *Cart. Sax.*, ii. 95, means 'probably Lundenwic, i.e. Sandwich, co. Kent.'

¹¹ The first name appears to be a Frankish compound of the name-stem *hagna-* which occurs in Frankish as *Agne-*, *Hagnoald*, &c.; W. Waltemath, *Die fränkischen Elemente in der französischen Sprache*, Paderborn, 1885, p. 38; Förstemann, *Alt-deutsches Namenbuch*, i. 577. It occurs in O.E. in the name *Hagana*, *Hagena*, *Haguna*.

¹² *Togred* probably stands for *Dogred*, by the unvoicing of the initial dental, which sometimes occurs in Frankish, as, e.g., *Tagebertus* for Dagobert in a spurious charter in Pertz, *Mon. Germ. Hist., Diplom.*, i. 186, 197. In this case it is identical with *Dograd* cited by Förstemann, i. 341, though the *-red* is English. The stem occurs in the Frankish names *Docfred* and *Dochar*; and, perhaps, in English in *cet Dogodeswellan* (Dowdeswell, co. Glouc.) A.D. 781, 798; *Cart. Sax.*, i. 392, 19.

¹³ See Hugo Schuchardt, *Vocalismus des Vulgarlateins*, Leipzig, 1866-8, ii. 91, sqq.; E. Étienne, *La Langue Française . . . jusqu'à la fin du onzième siècle*, Paris, 1890, i. 44; Th. Sickel, *Lehre von den Urkunden der ersten Karolinger*, i. 142.

¹⁴ Heinrich Brunner, *Zur Rechtsgeschichte der römischen und germanischen Urkunde*, Berlin, 1880, i. 161, 232; Julius Aronius, *Diplomatische Studien über die älteren angelsächsischen Urkunden*, Königsberg, 1883, p. 12.

in No. I we have this thoroughly Frankish formula: *Ego Æanfric cancellarius scripsi, relegi, ac subscripsi*, and in No. IV an equally Frankish: *Edilvinus regiae domus cartigraphus, iubente domino meo Ædgaro, scripsi, et in auditu presentium legi et subscripsi*.¹⁵ In No II Offa is made to use the Caroling sanction *manu propria subter firmavimus, atque nostri anuli impressione signari fecimus*.¹⁶ Sir Frederic Madden was aware that this clause 'was borrowed from the Franks, as is shown in the diplomas of Pepin and Charlemagne,' but so strong were his powers of belief that this did not prevent him from maintaining that the bust on this ring was 'really a portrait of the Mercian monarch.' Of course, when he had got so far, it was easy to see that the face admirably reflected the features of Offa, as described by his *Vi a, acie perspicax oculorum*. He was aware that the corresponding Frankish seals were formed from Roman portrait gems,¹⁷ having at this time no pretence to be considered portraits. To support the authenticity of this charter, he endeavoured to prove, not that the Old English kings used portrait signets, but seals. To apply his own words in reference to Hickes, 'it is really mortifying to find so learned a man as [Madden] indulging in such unfounded and idle conjectures.'

The existence of portrait seals attached *en placard* to Nos. II and IV, and the fact that Doublet describes similar seals as attached to Nos. I and III, should have alone sufficed to throw doubt upon these charters. Yet casts of the seals of Nos. II and IV are in the British Museum, and have been given to the world as genuine in the series of photographs and in the 'Catalogue of Seals,' whilst Mr. Birch, the editor of the catalogue, reproduces Madden's engravings of these seals in the 'Cartularium Saxonicum.' In no case is a whisper of the extremely suspicious character of these seals given. All this is only too characteristic of the thoroughly uncritical way in which our priceless heritage of early charters has, with rare exceptions, been dealt with. Madden believed that the seal to No. I was 'undoubtedly the earliest instance yet discovered of a seal having been employed by the Anglo-Saxons' (p. 359). There could be no doubt of this if the seal were only genuine. He noticed that the seals of Nos. II and IV were attached in Frankish fashion *en placard*, but this, again, did not cause him to hesitate. To explain this he makes the childish suggestion that the seals were thus affixed 'in imitation of the Frank usage, in order to render the charter[s] more valid in the estimation of the brethren of

¹⁵ Cp. *Franco . . . chartigraphus relegit et sigellavit*; Mabillon, *De re dipl.*, II. c. xii. § 11.

¹⁶ Cp. Sickel, *Urkunden der ersten Karolinger*, i. 193. Further Frankish traces are the *praesentibus et futuris* of IIII., and probably the title *gloriosus* in Nos. II and IV.

¹⁷ Thus Pippin used as his signet a Roman gem bearing a mask of Bacchus, Carloman one bearing a Bacchante, and Charles the Great one bearing a portrait of the emperor Commodus; Sickel, i. 349.

St. Denis,' whose archives bristled with forgeries of early charters. He notices that the seals are attached in a manner different from that of the Carolings, 'for instead of the wax being laid on *above* and *beneath* the parchment, in both instances before us another small piece of parchment has been stitched on to the charter, on the spot where the seal was intended to be impressed . . . and the wax then being affixed, the impression of the seal was taken, after which the ends of the smaller piece of parchment were folded over it, so as to form a sort of *chemise* or covering' (p. 367). His explanation of this is that 'this unusual mode of attaching the seals seems to have been adopted for the express purpose of protecting them from injury during their transit from England to the monastery of St. Denis' (p. 388). But he does not show *how* this would protect the seals, or why it was that similar precautions were never required in the numberless other instances when sealed documents crossed into France. There is a much more obvious explanation. Frankish seals were secured by the wax in which they were impressed going through a cross-cut in the parchment to the back, so that it was impossible to detach them without breaking them. The fabricators of these charters, deeming that seals were necessary to them, could only procure them by cutting the seals and pieces of the parchment to which they were attached from other deeds and then sewing the parchments and seals on to these charters.¹⁸ It may be mere accident that these seals have only the inscription REX¹⁹ upon them, but the suspicious way in which they are attached to the charters certainly suggests that the kings' names were intentionally erased.²⁰

There are other suspicious features about the four earlier charters, which it is hardly necessary to discuss. But it is noteworthy that No. III makes Æthulwulf in A.D. 857 give *de thesauro nostro viginti marcas auri*. Now as the mark was introduced into England by the Northmen, it could hardly be familiar to the king of Wessex in 857. It is not mentioned in France until 1093,²¹ which suggests that this charter was composed about that date.

There are, however, a few points that seem to prove that though these four charters are Frankish productions, they relate to actual grants. In No. II the witnesses are such as occur in genuine

¹⁸ Upon the method of attaching Frankish seals, see Sickel, i. 344.

¹⁹ Mr. Birch, in the Museum Catalogue of Seals, gives the inscription on Edgar's seal as '. . . AR . . . EX.' There is no AR in the engraving.

²⁰ Madden cites a note of Sir Robert Cotton's to prove that Offa's name had already disappeared from the seal.

²¹ Le Blanc, *Traité historique des Monnoyes de France*, Amsterdam, 1692, p. 150. This passage in No. III., which is quoted in Ducange, has led Falkmann, *Om Mätt och Vigt i Sverige*, Stockholm, 1884, i. 347, to believe that the Northmen borrowed the mark from England, an opinion shared by Holmboe, in Schive, *Norges Monter i Middelalderen*, p. iv.

charters of Offa. St. Denis had no possessions in either Rotherfield or Pevensy at the time of Domesday, and there would seem to be no reason for forging these charters unless the monastery had some property in the places to which they relate. Hence they must be of earlier date than Domesday. The supposition that these charters were drawn up by Frankish monks, and attested by the king, is precluded by the fact that the writing is ascribed in two of them to imaginary English chancellors. Thus we can only conclude that they are later French fabrications, which may relate to real transactions, but which are certainly not copies of lost English originals,²² although, as Madden remarks, the English letters, f, 3, p, r, and þ are used in Offa's charter.

W. H. STEVENSON.

CHRONOLOGY OF THE PROVINCIAL MINISTERS OF THE FRIARS
MINOR IN ENGLAND.

THE royal assent was required to confirm the election of abbots and priors of the endowed orders; but the crown never put forward a claim to exert a similar influence over the election of the masters and ministers, the priors and wardens of the mendicant orders. Consequently no notice of the elections of the latter occur in the public records. No dates are given in the two lists of the Franciscan provincials in 'Mon. Fran.' i. The following notes are derived from a variety of sources and leave more gaps than they fill up. I follow the list of ministers as given in the *Regist. Fratrum Minorum Lond.*,¹ and in Cotton, Nero A, ix. fol. 103;² and confine myself to dates bearing on their tenure of office.

1. *Agnellus*, 1224-1235. Wadding says he was appointed at the Chapter Storearum, 1219; the only authority for this is the general statement of the Three Companions that on this occasion 'ministers were elected and sent out with the brethren into all the provinces of the world in which the catholic faith was observed.'³ The letter of obedience of St. Francis to Agnellus given by Wadding is not dated.⁴ It is certain that Agnellus did not come to England till 1224.⁵ His death, according to Eccleston,⁶ was due to his exertions to bring about peace between the king and the earl marshal; he undertook this work on 22 Dec. 1233.⁷ Eccleston⁸

²² The same may be said of many English charters forged after the Conquest, in which French *formulae*, &c., appear, as, e.g., in Æthelbert's grant to Canterbury, A.D. 605, which is attested by a *referendarius*, whilst a later scribe has converted another Frankish official into *Graphio comes*; *Cod. Dipl.* i. 4; *Cart. Sax.* i. 10.

¹ *Mon. Franc.* i. 537-9.

² *Ibid.* p. 559.

³ *Speculum Vitæ.*

⁴ *Ann. Minorum*, i. 303.

⁵ *Mon. Franc.* i. 5; *Lanercost Chron.* 30, 31; cf. *Ann. Monastici*, iv. 416.

⁶ *Mon. Franc.* i. 52.

⁷ M. Paris, *Chron. Maj.* iii. 257.

⁸ *Mon. Franc. ib.*

states that he went to Rome before his death. He must have died in 1234 or 1235. The latter date is supported by an anonymous chronicle which ends with an account of Peckam's consecration in 1278; the MS. is Cott. Nero A, ix. fol. 25 seq., and belongs to the early fourteenth century. On fol. 70 b. is the entry: AD. MCC 35 *frater Agnellus primus minister fratrum minorum in Anglia obiit et sepultus est Oxon' apud fratres minores*. The same entry occurs in MSS. Cotton, Domit. A. i., f. 33, and Cleopatra B. xiii., f. 146 b.

2. *Albert of Pisa, 1236-1239*. A year elapsed between the death of Agnellus and the appointment of his successor.⁹ After being minister for two years and a half he went to Rome, was present at the deposition of Elias, 15 May, 1239, and was then himself elected minister general.¹⁰

3. *Haymo of Faversham, 1239-1240*. According to Eccleston he ministered one year in England and was then elected minister general in succession to Albert.¹¹ An old note in the Phillipps MS. of Eccleston says that the latter was general for only six months.¹²

4. *William of Nottingham, 1240-1251*. About the first date there is no doubt; the evidence relating to the second is very contradictory and must be given at length.

(1) He was deposed in the general chapter of Metz.¹³ No record of this chapter remains, and the date is uncertain. Wadding places it in 1249, others in 1250;¹⁴ the arguments for either date are inconclusive. The chapter before Metz was held in 1247,¹⁵ the chapter next after Metz in 1256.¹⁶

In the *Chronica universalis Mettensis*, edited by Waitz, 'Mon. Germ. Scriptt.' vol. xxiv. p. 523, is this entry: '1251, *Capitulum generale Metis celebratum*.' As the author seems to have been a Dominican,¹⁷ this must refer to the Dominican chapter held there in 1251, of which a record remains in Martene, 'Thesaurus Nov. Aneed.' tom. iv. p. 1699. But it is not unlikely that the Franciscan chapter was held at the same time (*e.g.* both orders met at Bologna in 1242), and the practice of holding provincial chapters of the various orders together was common in England.

Again, Eccleston's words are conclusive against Wadding's date (1249): *In capitulo Metensi absolutus est, et ex parte capituli generalis missus ad papam. Sed cum pervenisset cum Ministro generali Januam*, etc. (p. 70). Innocent IV was at Lyons till 19 April, 1251; he reached Genoa in May and remained till towards the end of June.¹⁸

⁹ *Mon. Franc.* i. 54.

¹¹ *Ibid.* i. 59.

¹³ *Mon. Franc.* i. 33.

¹⁵ *Ibid.* iii. 170.

¹⁷ See Waitz's preface.

¹⁰ *Ibid.* i. 58.

¹² *Phillipps MS.* 3119, f. 76 b.

¹⁴ *Ann. Minorum*, iii. 208.

¹⁶ *Ibid.* iv. sub anno.

¹⁸ Baronius-Mansius, *Annales*, xxi, 445, etc.

(2) How long did he hold office? Eccleston is the authority, and the manuscripts differ. Mon. Franc. i. 33, York MS.: *cum igitur xx annos minister extitisset*. Cott. MS. here reads *x annos*. (*xx* is certainly a mistake.) Mon. Franc. i. 70, Cott. MS. *circiter novem annos provinciam Angliae rezerat*. Philipps MS. fol. 80 reads here *circiter 14 annos*.

(3) When was his successor appointed? (Some time evidently elapsed between William's absolution and Peter's election.¹⁹) The York MS. reads: *Dignum memoria quod secundo anno administrationis Fratris Petri, quinti ministri Angliae, anno scilicet ab adventu fratrum in Angliam xxxii^o etc.*²⁰

The thirty-second year after the arrival of the Franciscans was 1255-6: if this corresponded with the second year of Peter's ministry, he must have been elected in 1254-5. But the Lamport MS.²¹ and Philipps MS. f. 73, read in this passage *quinto anno* instead of *secundo*; which would bring the accession of Peter to 1251-2. It is not safe in this case to prefer two manuscripts to one; it is not improbable that Philipps was copied from Lamport (which is the earlier part of the fragmentary Cotton MS.); and it is possible that the succeeding *quinti ministri* may have caught the scribe's eye and led to the substitution of *quinto anno* for *secundo*.

(4) Many of Adam Marsh's letters which refer to events after 1250 are addressed 'Fratri W. Ministro Angliae;' e.g. Letter 192 relating to events at Oxford at the beginning of 1253. If these superscriptions are correct, the chapter of Metz and William's deposition must have taken place in 1253; but are they correct? After No. 169 occurs the note: *Haec est ultima littera quam dictavit piaie recordationis Fr. Adam de Marisco*. All the letters addressed 'W. Ministro' come after this note; and there is not a single letter to any other provincial of England. Now, if we could point to one letter addressed to William and written in or after 1254, we should have no hesitation in saying that the address was erroneous, and this would throw suspicion on all the rest; there is, however, no letter to William of which the date can be fixed with any certainty, written later than 1253. In fact very few in the whole collection are of later date than this (No. 76 was written in 1254, Nos. 168 and 169 in 1256 or 1257, and No. 247 in 1255); so that if William was minister till 1253, we cannot be surprised that no other minister is addressed. Letters 170 and 173 appear at first sight to give promise of settling the difficulty. There is no doubt that they are correctly addressed to William, as his successor Peter is mentioned in both as being then minister of Cologne.²²

¹⁹ Mon. Franc. i. 70-1.

²⁰ Ibid. i. 10.

²¹ Ibid. ii.

²² Cf. Ibid. i. 63, Petrus de Theukesbury, minister Alemannie.

Grostete was then at the Roman court, and Adam Marsh had received letters from him there: ²³ this cannot refer to the bishop's journey to Lyons in 1245, as Adam was then with him, and Peter of Tewkesbury was not yet minister of Germany. ²⁴ Unfortunately the only other times when Grostete was at Lyons were in 1249, probably in the autumn, and most of the year 1250; and these letters no doubt refer to 1249, when the bishop's efforts were successful. Adam cannot be referring to the events of 1250 when he writes *Audivi etiam quod prosperatis negotiis dictus dominus a curia cum salute revertitur*. ²⁵ So these letters prove nothing. In Letter 17, written after 4 Nov. 1250, Adam certainly implies that William of Nottingham was, as far as he knew, alive. ²⁶

The conclusion to be drawn from this conflicting evidence appears to be that William was deposed in the spring, and died in the summer, of 1251. The date is a matter of real importance, as any one who had studied Eccleston's chronicle or the letters of Adam Marsh will agree.

5. *Peter of Tewkesbury*, 1251–1256 or 1257. For the date of his accession, see above. He ceased to be minister about the time that Bonaventura was elected general (1256), and some time before the death of Adam Marsh. ²⁷

6. *John of Stamford*, 1256–1264 (?). The date of his election only is approximately known. *Frater J. minister provincialis* is mentioned in a letter written by Adam Marsh to Bonaventura shortly after the latter became general minister. Adam Marsh died early in 1258; he is mentioned as being still alive in a document dated 23 Dec. 1257. ²⁸ The date of John's death, resignation, or deposition is uncertain: Stevens and other antiquaries say he died in 1264, on what authority I do not know. Wadding says he became archbishop of Dublin in 1284; this is a mistake; the archbishop was John de Sanford. ²⁹

7. *Peter Swynesfeld* or *Swenfeld*, 1265 (?)—1275 (?)

8. *Thomas Bungey*, 1265 (?)—1275 (?)

9. *John Peckham*, 1275–1277. He became minister after lecturing at Oxford. ³⁰ From a record dated 2 May, 1275, we learn that he was then at Oxford, and as he is merely described as *frater*, it may be concluded that he was not then minister. ³¹ But his election cannot have been much later, as in 1277 he was summoned to Rome to lecture at the papal court. The latter date is an inference from these two facts: (1) he was probably appointed lector by Nicholas III, formerly *Protector Ordinis Minorum*, who ascended

²³ *Mon. Franc.* i. 308.

²⁴ Grostete's *Letters*, p. 334.

²⁵ *Mon. Franc.* i. 309. See M. Paris, *Hist. Angl.* iii. 58, 69, 77.

²⁶ *Mon. Franc.* i. 103, 84, 70; Le Neve, iii. 9.

²⁷ *Mon. Franc.* i. 305, 306.

²⁸ *Liberate Roll* 42 Hen. III, m. 3.

²⁹ Wadding, *Ann.* v. 134; Rymer's *Foed.* i. 655.

³⁰ *Trivet*, p. 299.

³¹ *Close Roll*, 3 Edw. I, m. 18, in *dorso*.

the papal throne in November 1277; (2) according to the Lanercost Chron. (p. 100), *post biennium* in this office he was made archbishop of Canterbury; the bull appointing him is dated 28 Jan. 1279 (N.S.); he was consecrated by the pope on 6 March.³²

10. *Hugh de Bathonia*, 1277; died before entering on his duties³³ (in MS. Cotton, Nero, A ix., fol. 103, he is called 'Frater Petrus Hugo de Bampton').

11. *Robert Cross* or *de Cruce*, 1278 (?)—1285. In a letter of Peckham's dated 11 April, 1280,³⁴ he is mentioned in connexion with the Mendicants at Oxford merely with the title of *frater*. This certainly looks as though he was not then minister, perhaps lector. If so, we must assume that Peckham retained the title of provincial until his appointment to the archbishopric, that Hugh became minister and died in 1279, and Robert Cross after 11 April, 1280. But this is unlikely. He appears as minister in June and September 1284,³⁵ and in March 1285.³⁶ At the latter date he was going to the general chapter at Milan,³⁷ where he was no doubt absolved.

12. *William of Gainsborough*, 1285—1292 (?), was probably elected in the general chapter at Milan. He was certainly provincial in October 1285.³⁸ How long he continued in office is unknown: perhaps he was absolved in the great chapter at Paris in 1292. Nicholas Trivet (p. 331) states that Friars Hugh of Manchester and William of Gainsborough, doctors of theology, were sent as ambassadors to the French king in 1294. There is little doubt that Gainsborough was no longer provincial at this time; if he had been, Trivet would probably have given him the title. His association with Hugh points to the same conclusion; Hugh was an ex-provincial of the friars preachers.³⁹

13. *Roger Merston*, 1292—1298 (?).

14. *Hugh de Hertipol*, 1298—1303, was certainly provincial on 4 April, 1299,⁴⁰ and 29 March, 1301;⁴¹ he was appointed proctor for the king at the Roman court on 9 Sept. 1302.⁴² He died at Assisi soon after this.⁴³ The date of his death is again doubtful; Wadding, or rather his continuator, quotes an epitaph, '*quam refert etiam auctor Collis Paradisi lib. i. tit. 45,*' stating that he died on 11 Sept. 1302, while Rodulphius names 1303 as the year. It is not unlikely that he went to Assisi to attend the chapter in the spring of 1304.⁴⁴

15. *Adam of Lincoln*, 1304—before 1310.⁴⁵

³² Le Neve, *Fasti*.

³³ *Mon. Franc.* i. 537.

³⁴ *Register*, p. 117-8.

³⁵ Pat. Roll 12 Edw. I, m. 9; Peckham's *Reg.* p. 820.

³⁶ Pat. 13 Edw. I, m. 27.

³⁷ *Ibid.*; and Wadding, *Ann. Min.* sub anno.

³⁸ Peckham's *Reg.* p. 909.

³⁹ Quéatif-Echard, *Scriptores*, i. 498.

⁴⁰ Q. R. Wardrobe $\frac{2}{2}$ in Record Office.

⁴¹ *Ibid.* $\frac{13}{35}$.

⁴² Almain Roll, 30 Edw. I.

⁴³ *Mon. Franc.* i. 560.

⁴⁴ Wadding, *Scriptores*, p. 360 (ed. 1806).

⁴⁵ *Hist. MSS. Com. Rep.* iv, 393, letter of the Minister-General to 'Friar R. minister of England,' A.D. 1310.

16. *Richard Conington*, 1307 (?)—1319 (?). These dates are quite uncertain: it is, however, not improbable, firstly, that he was elected in the general chapter at Toulouse in 1307,⁴⁶ as he was certainly minister in 1310;⁴⁷ and secondly, that he was absolved in the general chapter at Marseilles in 1319, as he had ceased to be minister in 1322,⁴⁸ but appears to have lived some years longer.⁴⁹

17. *William of Nottingham*, 1319 (?)—(?), was at the famous chapter at Perugia in 1322, when he subscribed as provincial of England the declaration of the Franciscans 'On the poverty of Christ.' In the letter he appears merely as William of England.⁵⁰ Wadding seeks to identify this William with William of Ockham; and to reconcile this with the fact that the latter was never provincial of England, he assumes that he was present as vicar of the provincial, regardless of the fact that the William in the letter is expressly called provincial minister.⁵¹ Of course the person referred to is William of Nottingham. How long he continued in the office is unknown; according to Bale (who confuses him with the fourth provincial) he died in 1336.

18. *Roger de Denemed* (?).

19. *John de Rodyngton*, (?)—1348 (?). This latter year, the year of the 'black death,' is mentioned by Bale as the date of his death.

20. *John Went* (?).

21. *William Tythemersch* (?).

22. *Roger Conway*, 1357 (?). It is not clear whether he was provincial at the time of his controversy with Richard Fitzralph (1357–9). He was not provincial in 1355, but whether he held the office before or after that date is uncertain.⁵² There is no evidence in support of Bale's statement that he died in 1360.

23. *Simon Tunstede* (?). All that can be affirmed with certainty about his provincialate is that he held the office after 1351.⁵³ I have found no authority for Bale's statement that he died in 1369.

24. *Robert Wyshed* (?).

25. *John Mardeslay*, 1375 (?)—1379. He had probably not become minister in 1374,⁵⁴ and he had ceased to hold the office in 1380 (see below).

26. *Thomas Kyngesbury*, c. 1379 or 1380–1392. Friar John Somer composed a calendar in 1380 *ex precepto reverendi patris fratris Thome Kyngysbury* (or Kynbury) *ministri Anglie*.⁵⁵

⁴⁶ Rymer's *Foed.* i. 1009.

⁴⁷ *Hist. MSS. Com. Report*, iv. 393a cf. Wadding, *Ann. Min.* vi. 171, or *Archiv für Litt. und Kirchen-Gesch.* ii. 356.

⁴⁸ Wadding, *Ann. Min.* vi. 396.

⁴⁹ *Ibid.* vii. 168.

⁵⁰ Wadding, vi. 396.

⁵¹ *Ibid.* vii. 7.

⁵² See papal letter in Wadding, *Ann. Minorum*, viii. 457.

⁵³ *Digby MS.* p. 90, Macray's Catalogue.

⁵⁴ *Eulog. Hist. Contin.* iii. 337–8.

⁵⁵ Cotton MSS. Faustina A, ii. f. 1; Vesp. E, vii. f. 7.

He was minister in 1388.⁵⁶ In MS. Bodl. 692, fol. 33, is a copy (late fifteenth century) of a royal letter to a pope on behalf of 'Friar Thomas minister of the order of friars minor in our kingdom,' containing the following clause:—

In principio namque sui ministerii decem jam transactis (annis omitted), primo publice in capitulo suo provinciali, deinde in suis conventibus sue cure commissis, fratres omnes et singulos ad prestandum corporale juramentum efficaciter induxit et opere adimplevit, quatinus Urbanum Sextum summum pontificem recte fuisse electum predicaretur eique fideliter adhererent . . . Dat' apud manerium nostrum de Woodstoke xviii mensis Septembris.

This is clearly a letter from Richard II to Boniface IX. It cannot have been written before 1390, as Urban VI died 15 Oct. 1389; and it cannot have been much later if we are right in understanding *annis* after *decem jam transactis*. Was the king at Woodstock on 18 Sept. 1390 or 1391? In 1390 he dates documents from Westminster on 16 and 25 Sept.;⁵⁷ in 1391 he dates from Westminster on 16 and 23 Sept.⁵⁸ He was at Woodstock on 29 Sept. 1392,⁵⁹ and we may conclude that the letter was written in this year. It is not probable that Kyngesbury remained in office much longer.

27. *John Tyssyngton*, c. 1392–1395. He is said by Bale to have died in the latter year.

28. *Nicholas Fakenham*, 1395–1402 or 1401, Harl. MS. 3768, fol. 188, 'Determinatio de Schismate' by Fr. N. de F. minister of friars minor in England, 5 Nov. 1395.

29. *John Zouch*, 1402–1407, Rolls of Parliament, vol. iii. p. 502, § 6 (A.D. 1402). He was deposed in 1405,⁶⁰ but reinstated the same or the next year.⁶¹ He may have retained office till 1408, when he was nominated by the pope to the see of Llandaff; but it is doubtful whether he was recognised by the province. The most likely conclusion is that the mission of the general minister to England in 1407 had reference to this dispute, and that he settled it by agreeing to the deposition of Zouch.⁶²

Innocent VII in 1405 ordained that no provincial of the Minorites should henceforth remain in office more than six years; see papal decree dated x Kal. Dec. A° II, in Wadding, ix. 493–4. A different account is given in 'Eulog. Hist. Contin.' iii. 409.

30. *William Butler*, 1407 or 1408–1414. Wadding gives a letter of John XXIII, dated xvi Kal. June, A° IV (17 May, 1414), restoring

⁵⁶ Bodl. MS. Digby, 90, f. 6 b.

⁵⁷ Close Roll 14 Ric. II, m. 43; and m. 42 *in dorso*.

⁵⁸ Rymer's *Foedera*, vii. 706, original edition, A.D. 1709.

⁵⁹ *Ibid.* p. 735.

⁶⁰ *Eulog. Hist. Contin.* iii. 404.

⁶¹ See diploma of Innocent VII, dated *VIII Idus Martii Anno II*, i.e. 1406, Wadding, *Annales*, ix. 499.

⁶² Rymer's *Foedera*, orig. edit. viii. 495.

Butler to the provincialate which he had voluntarily resigned—probably in accordance with the above decree. There is nothing to show that the restoration took effect.⁶³

31. *Vincent Boys*, 1414, was deposed by the pope soon after his election.⁶⁴

32. *Peter Russell*, 1414?—1420. He was probably minister for about six years,⁶⁵ and certainly retired voluntarily in 1420.⁶⁶

33. *Robert Wallys*, 1420; ⁶⁷ he died in France before entering on his duties as Minister.⁶⁸

34. *John David*, 1421–1427 (?). He is addressed as minister by Archbishop Chicheley in a letter dated 2 March, 1425, *et nostrae translationis anno XII* (N. S. 1426).⁶⁹

35. *Roger Daw* or *Donwe* or *Dewe*, 1427 or 1428–1430, when he was deposed by the general minister.⁷⁰

36. *Richard Leech* or *Leke* (?).

37. *Thomas Radnor*, 1438. Wadding refers to a list of rectors of provinces in *Registro Ordinis*, for the year 1438; the English minister was ‘Magister Thomas Roidnor.’

Here the list of ministers in the Cotton MS. Nero A, ix. f. 103 ends; and the ‘Register of Friars Minor at London’⁷¹ is a far less trustworthy authority. Between Radnor the 37th minister and Bryngkeley, called the 41st, there are clearly some omissions.

(38.) *William Goddard*, senior, (c. 1457) is mentioned by the register as 38th minister and successor of Thomas Radnor. There were two friars of the same name, and it is not always clear which of them is referred to, as will be seen from the following notices.

Regist. Fratr. Min. Lond. (‘Mon. Franc. i. 539’). XXXVIII *Frater Willielmus Goddard, senior, doctor Oxoniae, disertissimus jacet Londoniae*. In the margin the date 1437 is added in a more recent hand.

Ibid. Cott. Vitell. F, xii, f. 274 b. . . . *jacet ven. pater et frater Willielmus Goddard doctor egregius et ordinis frater minorum in Anglia Minister benemeritus. Qui obiit 30° die Mensis Octob’ A° Domini 1437*. The date 1497 is added in a later hand and crossed out.

Ibid. f. 282 b. . . . *jacet frater Willielmus Goodard sacre theologie doctor gardianus loci et precipuus benefactor ejusdem. Qui obiit 26° die mensis Sept’ a° dom 1485°*. On fol. 310 the same friar is referred to as ‘fr. Willielmus Goddard junior.’ He is not called minister and was not buried in the choir, as all the ministers mentioned in the register were.

⁶³ Wadding, *Ann.* ix. 354, 529.

⁶⁴ *Ibid.*

⁶⁵ See ordinance of Innocent VII, above.

⁶⁶ Wadding, *Annales*, x. 53: the papal letter stating the fact is dated IV Idus Dec. 1420.

⁶⁷ Wadding, *ut supra*. ⁶⁸ *Mon. Franc.* i. 538.

⁶⁹ Wilkins, *Concilia*, iii. 459.

⁷⁰ Wadding, *Ann.* x. 169.

⁷¹ Cott. Vitell. F, xii.

Gascoigné (*Loci e libro Veritatum*, p. 100) refers to a letter from Reginald Pecock to *Doctori ordinis fratrum minorum Godard*, written some years after Pecock had 'scandalously preached that bishops as such were not bound to preach' (*i.e.* A.D. 1447). Tanner, *Bibl.* p. 584, refers to the letter thus: *Ad Godhardum Minoritam epistolam*, MS. in *bibl. Gualteri Copi*.⁷²

(Chronicle of the Grey Friars of London) p. 20; 'Doctor William Goddard the elder,' provincial 27 Nov. 1457.

Wills proved in Prerog. Court of Canterbury, Register Wattys, fol. 180 a: will of John Crosby, dated 6 March, 1471: 'Item I bequeth to maister Godard thelder doctoure of dyvynyte to pray for my soule c^s.'

Dugdale (*Monast.*) vol. vi., part 3, p. 1510-1511; William Goddard is mentioned as provincial in a deed dated Dorchester, feast of St. Francis (4 Oct.) 1485. The original of this deed is given by Francis a Sta. Clara, *Hist. Minor*, p. 37-38 (edition Douai, 1665); but is the year correct?

A further complication is now added. In 1499 the English observants were constituted a separate province;⁷³ and from this time a line of observant provincials ruled side by side with the old line of conventual provincials. The former were, till Leo X issued the *Bulla Concordiae* in 1517, called *Vicarii Provinciales* and had to obtain confirmation of their election from the conventual provincial ministers. The *Bulla Concordiae* reversed the positions; the observant vicar now received the title of provincial minister, while the conventual provincial was called *Magister Provincialis* and had to be confirmed in his office by the observant minister.⁷⁴ Of any special application to England of these general ordinances there is, however, little definite evidence. I give the two lines of provincials together, mentioning where possible the branch to which each provincial belonged.

(39.) *John Persevalle*, (?)-1505, is mentioned as the 39th minister. The 'Register,' which becomes more trustworthy now, says that he died 16 Dec. 1505. Cf. Wood (*Fasti*, p. 6; *Athenæ*, p. 6-7). Wood calls him the 47th minister, I do not know on what authority. The author of 'Collect. Anglo-Minoritica' calls him the 53rd minister; but his list is utterly untrustworthy; *e.g.* he mentions Thomas Kyngesbury three times over, as Thomas Heber, Thomas Burbury, and Thomas Kingsbury. As Persevalle was buried at the Grey Friars, London, he probably belonged to the conventual branch of the order.

⁷² The editor of Pecock's *Repressor*, Rolls Series, had not found this MS.; but is probably still in the library of Bramshill House, Hants.

⁷³ Wadding, xiv. 382, 422; xv. 177.

⁷⁴ *Analecta Franciscana*, ii. 559.

(40.) *Henry Standish*, (40th minister in the 'Register') is said to have succeeded *Persevalle*; but in 1515 he was warden of the Grey Friars of London.⁷⁵ He may have been minister between 1515 and 1518, when he became bishop of St. Asaph. According to *Francis a Sta. Clara* (p. 43), he was an observant; but the London house was conventual.

Stephen Baron, in his sermons (twice printed without date), is called *Fratrū Minorū de Observantia nūcupatorū Regni Angliæ Provinciale Vicariū*. This title ought to imply that he was provincial of the observants before 1517, the date of the *Bulla Concordiæ*. In his treatise 'De regimine principum'⁷⁶ he is merely called *Provincialis*.

John Forest, observant, is said by various modern writers to have been provincial, but I have found no authority for the statement.

William de N., provincial minister of the observants in 1523.⁷⁷

Richard Bryngkeley is described as *Minister Generalis ordinis minorum per totam angliam* in a *supplicat* dated 26 June, 1524.⁷⁸

William Call was provincial minister in 1531 and in Sept. 1535.⁷⁹

William Peto, observant, was minister in April and September 1532.⁸⁰

On 12 April, 1533, *Richard Lyst* writes to *Cromwell*: 'A Frenchman just come from beyond sea has been chosen our minister, head and ruler in this province' (observant).⁸¹ These words would hardly apply to *John de la Hay*, who was appointed commissary general of the order in England on or before 26 Oct. 1532;⁸² if the dates in the calendars of state papers are correct, he was commissary and residing at Greenwich as early as 29 Sept. 1532.⁸³ On 13 Jan. 1533,⁸⁴ *Paul Parmensis*, the Franciscan general, writes to *Henry VIII*, proposing to send 'a friar out of Lorraine, a member of the province of Paris,' as English provincial. His name does not appear; he was evidently a nonentity and creature of the king and *Cromwell*.⁸⁵

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⁷⁵ *Cal. of State Papers*, Hen. VIII, vol. ii. No. 1313.

⁷⁶ Royal MSS. 12 A, xvi., also twice printed.

⁷⁷ *Wadding*, Ann. xvi. 145. ⁷⁸ Oxford Univ. Archives, Regist. H. 7, f. 126

⁷⁹ *Foxe's Acts and Monuments*, iv. 642. *Cal. of State Papers*, Hen. VIII, vol.

No. 301.

⁸⁰ *Cal. of State Papers*, Hen. VIII, vol. v. Nos. 941, 1312, 1313; vi. 836.

⁸¹ *Ibid.* vol. vi. No. 334.

⁸² *Ibid.* vol. v. No. 1471.

⁸³ *Ibid.* No. 1358.

⁸⁴ *Ibid.* vol. v. No. 715; vol. vi. No. 36.

⁸⁵ Cf. *ibid.* vol. vi. No. 887.

A RECORD OF THE ENGLISH DOMINICANS, 1314.¹

UNDER this title a document in the Record Office (Q. R. Misc. $\frac{902}{49}$) appeared in the HISTORICAL REVIEW for January 1890 (p. 107 *seq.*). A fifteenth-century copy of another version of the same document exists in Corpus Christi College, Cambridge, Cod. ciii., pp. 114–116. This manuscript, though not always accurate, is in better preservation than that in the Record Office; it is also fuller, and is probably a revised version, while the other was the original draft of the appeal. A list of the principal corrections, various readings, and additions is given below.

References of pages and lines are to the HISTORICAL REVIEW, vol. v., *ut supra*. C. refers to the C.C.C. manuscript.

P. 107, l. 1. . . . Walpol, Adam de Marinis, Rogerus Schirelond, Radulphus Garlond, Johannes de Wyleby, Hugo de Norwico, et plures alii quam centum de Regno Anglie, ordinam fratrum predicatorum canonicè ingressi et in eodem professi fuissent adm̃ ē [*sic*] et fuerint in prelibato. . . .

P. 108, l. 23. . . . Conjecturis in futurum grave prejudicium posse generari, maxime cum propter predictam causam xij fratres de numero Centum et plurium predactorum [*sic*] su[nt ?] carceribus mancipati, xxx autem et plures penis adjudicati similibus iter arripuerunt pro remediis adquirendis. Ne predictus frater Berengarius prefatus frater Willelmus de Castreton. . . .

l. 16. . . . Licet autem aliqui seipsis dampnabiliter blandientes, conscienciarum suarum palliare malicias molirentur intenciones in fictionibus hujusmodi ad fidelium animas forsittan diregendo, tam seculares. . . .

l. 40. *After convertatur, insert passage at end of p. 111:* Item cum fratres . . . appellaverint; *after this add:* calliditatibus et hastuciis variis ad cadendum seu renunciandum suis provocacionibus et appellacionibus inducuntur et eisdem promittitur quod nichil dedecoris ac tediū sustinebunt, sed cum cesserint seu renunciaverint eisdem, eos carcere puniuntur ac aliis debitis criminosis. Item cum predictus frater Berengarius debeat cum aliis pauperibus fratribus, spretis deliciis, communibus victualibus esse contentus, et cum ceteris portare onera paupertatis, ipse tamen ita sumptuosas requirit expensas fieri vel [*vc in manuscript*] permittit in conventibus ad quos visitandos accedit, vel etiam alio [*sic*] occasione declinat, quod excedunt procuraciones episcopi vel archiepiscopi visitandis, ac de eisdem expensis possent conventus multis mensibus procurari, etc. Item cum infra sacros ordines . . . *as in l. 41.*

l. 12. Cum inter tot letandas lacrimas expirassent in mortuos miseri debaccati, postquam carnes abraserant, depositis ferramentis, per pedes corpora de carceribus intempeste noctis silencio extraxerunt, eadem corpora velut brutorum cadavera in preparatam foveam projecerunt, ipsos indignos pro dolor omni ecclesiastica sepultura.

¹ Another version of this record has recently been edited by Luard in the *Flores Historiarum*, vol. iii. pp. 161–167 (Rolls Series, 1890). The writer expressly states, as I had previously conjectured in this Review (Jan. 1890, p. 107, No. 1), that this was the document affixed by one of the friars to the door of St. Paul's at the time of the General Chapter in London in 1314.

l. 20–21, *after* renunciarunt [*for which C. reads* prenuarunt ?] *add* : Item cum observancie Regulares requirant omnia omnibus secundum suas indigencias communiter exhiberi, ipso tamen fratre Berengario ac suis complicitibus de subditorum laboribus saginatis, Infirmis que necessaria sunt minime ministrantur, quoniam [?] potius quam plurimi decedentes in mortis articulo constituti dixerint, quod, quia eis non fuit ut debuit de necessariis ministratum, eorum accelera mors erat.

Et qui habent sufficientes personales . . .² communiter satis habent ; qui vero amicis carent hujusmodi tam vestibus³ quam aliis inedia perurgentur. Sunt autem et alia quamplurima a secularibus inaudita . . .⁴ in grande periculum ordinis ecclesie [et] sancte Romane Curie pergrave prejudicium, et inestimabilem lesionem secularium potestatum ; ad presens tamen propter enormitatem et scandalum audiencium subticentur. Quorum correccioni cum fratres in provocacione seu appellacione nominati non poterunt infra ordinem optinere et ad sacrosanctam sedem apostolicam ea voluerunt et volunt deducere corrigenda cum aliorum multitudine copiosa. Porro si de [*etc. : line 22*].

l. 27. . . . quod si quis aliquid de alio sciverit aut seipso quod in secundam personam transierit quoquo modo . . . [*sic*] committentibus solis constet aut per sacramentum [*sic*] confessionem fuerit precorrectum.

l. 34. [*After* usurpavit]. In subversionem quoque evangelice veritatis, asseritur ab eodem quod omnis actus qui committente invito⁵ potuerit propalari, ex sui natura est publicus scrutandus [?], quodque precepti transgressor efficitur et sententiam excommunicacionis majoris exinde incurrit,⁶ qui hujusmodi non duxerit tanquam communi judici revelandum ; et cum nullus actus sub fraterna correptione cadere valeat, ut ex se patet, nisi qui committente invito⁷ poterit revelari, omnino periit fraterna correpcio, modus ipsius, et ordo, quos ipsa veritas percipit [*sic*] inviolabiliter observari : formam autem inquisicionis hujusmodi et assercionis etiam et precepti non solum observat in genere sed descendit specialiter ad singulares personas quas nulla unquam sinistra suspicio maculavit.

P. 108, l. 6. Sed dictus frater Berengarius moris aspidis obturantis aures suas . . . l. 10, magister calcaneum elevans. l. 31. *Omit* Cantuariensem. l. 32. . . . petendi, peto instanter instantius instantissime, subiciens . . . l. 44, *for* instabilitatem *read* insaciabilem.

P. 109, l. 8. *After* Iterumque *insert* bis. l. 12, *for* autem sic mortui, *read* aliqui sic perempti. l. 14, *for* cimbolum *read* symbolum. l. 15, *for* minore *read* majore. l. 33, *for* discedunt *read* decedunt. l. 46, *for* Faciunt . . . custodie, *read* Facit . . . ferocitatis.

P. 110, l. 46, *for* minus *read* minis. l. 47, *for* multi . . . secrete, C. *reads* multum nti [?] et seducti. l. 48, *for* quequam *read* quidam. l. 49, *for* metuentes *read* mentientes ; *omit* omnia que.

P. 111, l. 3–4. Se singulos sine ullo dispendio servaturum specialissimumque defensorem. l. 11, *for* Insanie . . . non, *read* Sane sue sevicie non. l. 14, *for* late *read* lata ; *for* ipse *read* ab ipsis. l. 21–22 . . . custodia includantur, et quod ter in pane et aqua jejurent singulis septimanis. l. 26, *for* non affectu *read* cum effectu. l. 29, *for* procedit, C. *reads* pōdat [*ponderat* ?].

C. ends with the words *solito graviore* [l. 41].

On p. 109, l. 29, *septure* is a misprint for *scripture*.

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² Blank in manuscript.

³ *vescibus* in manuscript.

⁴ Manuscript reads here *alie sus*.

⁵ Manuscript, *invico*.

⁶ Manuscript reads: *Exⁱⁿ crit*.

⁷ Manuscript, *in vico*.

A FORGED ACCOUNT OF THE DEMOLITION OF THE SHRINE OF ST.
THOMAS OF CANTERBURY.

THE precise circumstances of the demolition of the tomb of St. Thomas at Canterbury in September, 1538, are involved in such obscurity that any account of it hitherto unnoticed merits attention. Such an account, professing to date from the sixteenth century, is to be found in Grenville MS. xii. in the British Museum.¹ Its terms are as follows:—

After this (viz. in 1538) his highness caused Thomas Becket's Tombe to be rased, his highness standing by and seuerall of the Privy Councell and of the Clergy then being present. This tombe being opened there was the bones and scull of Thomas Becket entire, notwithstanding the Monkes had shewed another scull in lieu of the true one, which being giuen unto the king, he sayd to the Lords of his privie Councell and to the Clergy there present, 'Bring me here the other scull which these Rokeish monkes shewed unto myne and my predecessors subiects for the reall one. Lett these two sculls be brought, I command yee, and all these bones that wee may dispose of them otherwise, and not haue our subiects gulled and made to Idolators.' At whose command a box was fetcht and the Bones locked up therein and the Bishop of Canterbury and S^r Thomas Cromwell charged to dispose of them and to seporate them where they may noe more be knowne from others. . . .

Within this Monument the monkes had an hollow passage under ground, wherein there was found as much gould as filled two chests soe full that each of these chests required eight strong labouring men to carry them from thence. This was not all the Treasure, for there was found a Jewell which had been offered by Lewis the 7th sometime King of France, which the monkes called the Royall of France, which was valliewed at an hundred thousand crownes, and allsoe a lardge goulden cuppe. His highness prising the stone had it put into a Ring and wore it on his thumbe.

His highness haueing gott soe greate a Treasure by demolishing of Thomas Becket's Tombe, sayd unto his Privy Councell, 'Behold, sirs, all this and an hundred times more haue the jolly fatt monkes gott from our predecessors and from the gentry and commons of our Realm, euer since Henry the 2^d Raigne, and this tombe together with their Innumerable fables of scandalising the Princes our progenitors and pretended miracles forged thereby haue bin the Chiefe Bugbeare which the Bishops of Rome were wont frighten them and us with euer and anon in their Bulls signifyeing "Remember S^t Thomas of Canterburyes Murther." Therefore, were there noe prophanation or Idolatry and fallacy with the monkes and my subiects in this case, but this Romish fetch of the Bishop of Rome, it is sufficient for us to demolish it.'

¹ It is also numbered Additional MS. 33746, the manuscripts forming part of the Grenville Library having recently been transferred from the department of printed books to the charge of the Keeper of MSS. and catalogued among the acquisitions of 1890.

What is most remarkable in this narrative is the active part it assigns in the proceedings to Henry himself, whose presence on the occasion is not even hinted at, so far as I can ascertain, by any other authority. It is of importance therefore to test the genuineness of the record, and fortunately means are not lacking, the doubts that arise from the strangeness of the matter and the suspicious character here and there of the wording being strengthened on a close examination of the volume. This is a small quarto of forty-six leaves, written in the latter part of the seventeenth century and having the title 'Memoirs taken out of the notes of Sr Henry Sidney, Knt., some time Lord Deputy of Ireland, and out of the Lord Cecills papers, ab Anno 1530 ad Annum 1566, as they were collected by James Usher, late Primat of all Ireland and Archbishop of Armagh.' The 'Memoirs,' which really extend only to 1544, consist of notices of events year by year, with summaries of a few tracts, sermons, and speeches interspersed, the whole being characterised by a strong anti-Catholic bias. The 'Lord Cecill' of the title is no doubt Lord Burghley, and as both he and Sir Henry Sidney died before the end of the sixteenth century, the contents claim a respectable antiquity, while, if properly described, they must have been extracted from their papers before 1656, the date of Ussher's death. But the fact is, the title is grossly misleading, and it is impossible to believe that the compilation was really made by Ussher; for the framework of the volume is evidently derived, not from original papers, but from Morgan Godwin's 'Annals of England,' first published in 1630 and again in 1675. This work, which makes no reference to papers of either Sidney or Cecil, was a translation of the Latin 'Annales' of Bishop Francis Godwin, the translator's father, published in 1616; but there is abundant proof that the real compiler of these 'Memoirs' copied from the English version. One curious piece of evidence to this effect may be seen at the very beginning, where, under the year 1530, he includes among the three ambassadors sent by Henry to the Pope an otherwise unknown Edmond Le Wolsey. Now, in Bishop Godwin's 'Annales' the name is given correctly as *Edwardum Leum, Eboracensem (post sublatum Wolsaeum) archiepiscopum*, in which there is nothing to account for the blundering entry in the Grenville MS.; whereas in the younger Godwin's translation we get the significant collocation of names, 'Edward Lee Wolsey his successor in Yorke.' It is easy to see from this that it was one or the other of the English editions that the pseudo-Ussher had before him, and the numerous cases in which its language is reproduced almost without variation leave no room for doubt that it supplied him with the bulk of his materials. To a less extent he made similar use of Stowe's Annals, and possibly of other printed authorities, and, having thus collected genuine history enough for his purpose and given it a false stamp of originality

by fathering it upon Sidney and Cecil, he appears to have made it the medium for venting his theological antipathies by foisting in concoctions of his own. The passage about Becket's tomb quoted above affords one example, I believe, of such a plausible admixture of truth and falsehood, and other passages are equally open to suspicion, notably a curious account of the origin of the famous Six Articles of 1539, in which Gardiner and Bonner are the leading actors. Nor is the likelihood of imposture at all diminished when the name of the writer of the manuscript is made known. After some trouble, by comparison of the hand with that of Add. MS. 4813, I have identified him with Robert Ware, son of the Irish antiquary Sir James Ware, and author of 'The Hunting of the Romish Fox,' 1683, and other pamphlets of a similar kind. No one who has read the essay on this unscrupulous controversialist in the Rev. J. E. Bridgett's 'Blunders and Forgeries,' 1890, pp. 209-296, needs to be enlightened on his character and methods, and as to the manner in which his malicious inventions (frequently associated, as here, with the names of Sidney, 'Lord Cecill' and Ussher) have found their way into the pages of unsuspecting historians. Apparently, such has not yet been the case with the tainted matter in the Grenville MS., and, having given this warning in the hope to prevent it in the future, I will not pursue the subject further. Mr. Bridgett, indeed, may fairly claim Robert Ware as his special game, and, now that I have started him on a fresh scent, I will leave him, if he please, to follow it up.

G. F. WARNER.

Reviews of Books

The Gild Merchant: a Contribution to British Municipal History.
By CHARLES GROSS, Ph.D. 2 vol. (Oxford: Clarendon Press.
1890.)

DR. GROSS'S researches in the somewhat obscure institution of the English Gild Merchant may fairly be termed exhaustive. In the first volume he gives a digest of his information; in the second a vast collection of 'Proofs and Illustrations' and 'Further Proofs and Illustrations,' quotations drawn from the municipal records of a very large number of towns, widely scattered through England, Scotland, Wales, and Ireland. The book, which has been a long time in preparation, has been expected with anxiety by students of economic history. Now that it has been published, however, one must confess to a slight feeling of disappointment. No one can deny the thoroughness of the investigation, or the author's familiarity with his subject. But unfortunately he manages to convey very little of that familiarity to his reader. The book is exhaustive: it is also somewhat exhausting. The book falls naturally, with its two volumes, into two parts, and it is perhaps more convenient to speak of the latter volume, that containing selections from the documents which Dr. Gross has examined, first. It is at any rate a great thing to have got such a mass of information printed and gathered into a form where it can act as a *corpus*, a reference book. For although Dr. Gross's quotations are intended solely to illustrate the gild merchant, they throw side lights on much beside. There is much information about articles of commerce in early times, about relations between the lords of towns and town governments. And the gild merchant itself had functions which, differing in different towns, were as a whole extremely varied, embracing as they did the inspection of all the trades of a town. Thus, although the second volume is not connectedly interesting—and no one could expect that it should be—yet the real student will find information at every turn. But even here one is inclined to think that the author has gone too far. One speaks with natural diffidence on the point; but there seems to be a good deal of repetition, an intolerable deal of 'morghespeche' and assemblies and admissions, where one quotation seems to do nothing but reflect its neighbour. None the less, the quotations as a whole seem to be thoroughly and widely representative, and the labour, well spent on them by the author, will be valued and appreciated by those who are working in the same field.

But the first volume is in many ways unsatisfactory. Again one

cannot but admire the thoroughness and goodness of the work: one is annoyed that the good work has not brought forth better fruit. The subject is one which, despite Dr. Gross, will be regarded by many persons as not over important, and it is a pity that the conclusions reached are not presented in a more attractive, more comprehensible form. The style of the book is somewhat pedantic: it is an exaggeration of thoroughness, a servility, if one may venture to say so, to authorities. If Dr. Gross had explained more clearly what he intended to prove, and proved it with a less copious flood of illustration; or if he had devoted more space to his summings-up, and told us of his own idea of the gild merchant, it would have been better. One cannot hope, with the most careful study of all the illustrations, even to approach the author's knowledge of the subject, and one therefore regrets that he has not seen fit to express more clearly his own conclusions. As it is, the reader carries away no impression of what the gild merchant was; he knows a great many things which it was not, and so by a species of reduction may eventually sift out the truth. This is, however, a cumbersome method.

There is no evidence of the gild merchant in Saxon documents. The first reference is contained in a charter given to the burgesses of Burford in 1087, and a Canterbury document of 1093. The charter is merely a shred containing the words *Gildam mercatorum*. But under Henry I. the institution is not rare, and under his grandsons it is common. The right of having a gild merchant was one of the most valuable privileges of a *liber burgus*, though it was not an essential. It is found in 102 English towns, 30 Welsh, and 38 Irish. London does not appear; but the development of London was, as is well known, abnormal, and the organisation was similar though the name was wanting. If we take the gild merchant of Ipswich as an example, it was governed by an alderman and four associates who were elected under John's charter; it had a monopoly of buying and selling certain things of which stone and marble are mentioned. There was a great diversity however in gild officers. Barnstaple for instance had four ferthingmen, four aldermen, a cupbearer, and a doorkeeper. Books were kept and a common seal. To become a gildsman it was necessary to pay a fee and produce sureties. Offences against rules were punished by fines; there was a good deal of *morghespeche* and 'cups merilly servyng about the hous.' The Winchester men's phrase for holding a meeting was 'to drink the gild merchant.' Good works and devotional exercises also had a place. Among the gildsmen there was a certain liberty of trading, and they had powers to impose tolls on foreigners and prevent those not of the gild from trading at all.

To use Dr. Gross's words, 'the grant of a gild merchant . . . was clearly a concession of the exclusive right of trading within the borough.' Mr. Gross curtly condemns it with an *ipse dixit* as 'an institution that blindly aimed to reduce free competition to a minimum, regarded what we now consider legitimate speculation as a crime, . . . and crushed out every stimulus to extensive production; ' but as he feels he must 'leave further comments to the political economist,' we are deprived of the chance of having his opinions on the medieval theories of trade and their justice, which is unsatisfactory. The 'preeminent duty of the gildsman was to

be *ad geldam* with the burgesses,' for burgess and gildsman were not the same. They are mentioned as separate, and the gild merchant often included non-residents, who obviously could not be burgesses. Thus the gild merchant of Totnes included the abbots of Buckfastleigh and Torre, who could not be burgesses for more reasons than one. And the converse is true, that a man could be a burgess without being a gildsman; and finally he could live in a town without being either. But distinctions tended to wear away, and in the fourteenth century amalgamation both in administration and constitution became common. The author goes on to combat the view hesitatingly expressed by Madox, and adopted by Brentano and others, that the gild was the basis of the civic constitution. Their arguments rest chiefly on common names such as alderman and gildhall, but Dr. Gross holds them inconclusive, and further indicates that on their hypothesis it is impossible to account for the early position of the gild merchant being a subsidiary one. Nor, further, did the gild merchant in its origin form the vital principle of a *liber burgus*, as is the view of Thompson, Brady, Brentano, and others. Nor, did the grant of a gild merchant merely mean incorporation. Throughout this portion of the book the author is at his best, in his destructive criticism on the defective theories and imperfect information of his predecessors. The same remark applies to his chapter on craft guilds and their relations to the gild merchant, which will perhaps be found the most interesting in the book. He denies the old statement for which Brentano is mainly responsible, that the craft guilds grew up in opposition to the gild merchant, to protect the interests of labour. He has found no evidence of any conflict. Brentano has been led astray by continental analogies. No doubt there were collisions between town authorities and single crafts, but Brentano took a wrong view of the whole matter. The change of the fourteenth and fifteenth centuries was not a widening but a contracting of the town governments. The craft guilds were merely bodies with economic functions for the better disciplining of trade which were recognised or even created by the gild merchant. There is a chapter on merchants staplers and merchant adventurers, and one on the later history of the gild merchant, which still subsists in one English town, Preston. Where the body survived the attacks made on gild properties and retained any real powers, it was narrow and exclusive. The book concludes with a series of appendices on Anglo-Saxon guilds, the hanse, the Scotch gild merchant, and such like. In Scotland the course of development was different: there was a struggle between craft guilds and gilds merchant, north of the Tweed. There is also an interesting chapter on the affiliation of boroughs in which Dr. Gross shows the practice of one town borrowing its constitution from another. Thus, that of Cambridge was taken from Gloucester, which came in turn from Winchester; and the affiliated boroughs used in some cases to refer to its mother city for advice or elucidation of rules.

G. TOWNSEND WARNER.

Chronicles of the Reigns of Stephen, Henry II, and Richard I. IV: The Chronicle of Robert of Torigni, Abbot of the Monastery of St. Michael-in-Peril-of-the-Sea. Edited by RICHARD HOWLETT, F.S.A. (London: Published under the direction of the Master of the Rolls. 1889.)

MR. HOWLETT may at first sight appear to have performed an unnecessary task in re-editing the chronicle of Robert de Monte, to give him his familiar designation, so soon after the publication in 1872 of M. Delisle's excellent edition; but this is not really the case. For out of the eighteen known manuscripts of the work M. Delisle made but little use of the six preserved in England, or of the St. Wandrille manuscript, now in the Vatican library. The English manuscripts add a good deal of interest to our knowledge of the literary history of the chronicle. The Arundel MS. 18 in the British Museum was transcribed from a copy of the work as Robert of Torigni wrote it before he quitted Bec to become abbot of St. Michael's; it thus, like the famous Avranches manuscript, which contains alterations and additions from the author's own hand, represents the first edition of the earlier part of the chronicle, but it breaks off unfortunately in 1099. The Cottonian manuscript, Domitian A. viii., was used by Nicholas Trivet, and the Harleian MS. 651 (formerly belonging to Reading abbey) by Roger of Wendover, who took from it the notice of the place where Stephen's queen, Matilda, died. The result of the comparison of a larger number of copies is to throw additional light upon the process by which the chronicle attained its final shape, and to show that the assumption of the conventional 'three editions' must be abandoned, since the chronicle, as it was continued from year to year, was lent out in various stages of correction, and these various stages are represented by manuscripts ending in 1169, 1181, 1182, 1183, 1184, and 1185. The work grew all through the author's lifetime, was enlarged here and curtailed there, but, except for the distinct 'first edition' written at Bec, it is impossible to draw a clear line between the different recensions. Mr. Howlett has taken particular pains in tracking the originals of the passages of earlier writers incorporated by Robert of Torigni. He has rightly distinguished between those borrowed from William of Jumièges' first seven books and those from the eighth book of which he was himself the author, printing instances of the latter in large type and merely indicating the fact of their agreement with the other work in the margin. He has also shown reason for believing that Robert of Torigni did not quote Ordericus Vitalis, but that both writers made use of a common source,—Baudri de Bourgueil, David Scotus, and an unknown rhyming chronicle of which there are several traces both in Orderic's and in Robert's work. The whole edition has been carefully prepared, though there are too frequent repetitions in the notes of what the reader will already find in the preface; in the preface itself the editor is unnecessarily apologetic for repeating himself when dealing with a very complicated subject, but there was no need to repeat part of p. xxv, n. 4 on p. xxvii. In his indulgence for 'the English reader' he has omitted certain collations (p. lv) and additions (p. lxi) for which the student will still have to refer to M. Delisle's edition. REGINALD L. POOLE.

Ireland and the Anglo-Norman Church. By the Rev. G. STOKES.
(London: Hodder and Stoughton. 1889.)

A THOROUGH and scientific history of the conquest of Ireland is much needed. The subject is one of very great interest, the authorities are numerous, and no time could be more favourable for publication than the present, when attention is so much attracted to everything that throws light on the political and social history of the sister island. Giraldus Cambrensis himself spoke of the work which his kinsmen had begun as one which would never be completed, and his keen and eager eye noted the causes which would prevent any real conquest, and foresaw the chronic difficulties of English rule in the land. There are few more genuinely prophetic passages in the writings of historians than the last chapter of the 'Expugnatio Hiberniae.' Nor does Giraldus stand alone in revealing the weakness of the Anglo-Norman system as applied to Ireland. The Celtic view of the subject is recorded in numerous monastic annals, some of which still remain unpublished. Dr. Stokes complains with justice of the neglect of Irish materials in the later issues of the Rolls series. It appears that the issue of the calendars of early Irish documents has been entirely suspended, and there are several Irish chronicles of the first importance still in manuscript. 'The story of Anglo-Norman dominion in Ireland,' says Dr. Stokes, 'will never be fully known till the Rolls series embody the documents lying in manuscript in Dublin, viz. the "Liber Niger" and the "Repertorium Viride" of Archbishop Alan, the "Crede Mihi," the "Liber Niger," and the "Liber Albus" of Christ Church. A sum of 3,000*l.*, I suppose, would print them all, yet the English treasury and record authorities have, on various petty pleas, withstood on this point the unanimous wish of the Irish representatives in parliament of every type of politics. They are printing at present a volume of the "Thomas Court Registers," omitting the most valuable and interesting portion, while they have declined Archbishop Alan's "Liber Niger" on the extraordinary plea that it is only a copy of original documents, and not the original documents themselves.' Not content with this indictment of English authorities, Dr. Stokes comments severely on the folly of giving the editing of works such as those of Giraldus Cambrensis to men without local knowledge.

All this goes to show the difficulties which beset the study of medieval Irish history. Dr. Stokes has set himself to give a popular account of the more prominent scenes in the three centuries and a half that elapsed from the landing of Robert FitzStephen to the beginning of the reformation, and he has begun by giving a fairly full account of the invasion itself. He seems to have been a good deal hampered by his method. It may be presumed that the lectures would be better to hear than to read, and probably compression has deprived the reader of details which would have made many of the points more clear. The book also lacks unity of interest. It is, in fact, neither an ecclesiastical nor a political history. There is a great deal of general historical interest, and the story of the conquest is told at length; but the wars of Bruce, the statute of Kilkenny, and Poyning's act (the three points which Dr. Stokes says in his preface that everybody desires to know something about) are

treated with disproportionate meagreness. The first 200 pages of the books are all concerned more or less with the Anglo-Norman invasion and organisation, whereas the period from Edward I to Henry VII, inclusive, is disposed of in twenty. Dr. Stokes does not dwell especially upon the purely ecclesiastical side of the history, but in the portion of his work where he has touched upon it (especially the accounts of St. Laurence O'Toole and John Cumin, with the cathedrals of Christ Church and of St. Patrick, and the discussion of the survival of Celtic influence in the church between the conquest and the reformation) his treatment is most successful.

One point in Dr. Stokes's lectures is well worthy of imitation—the topographical and antiquarian illustrations which he now and again throws into the course of his narrative. It is of the greatest advantage to the student to be told where the scenes of the chief events of the period he is studying are, how he can reach them, and what he should look for when he goes to see them. Aid of this kind Dr. Stokes gives in the most practical fashion, not without some girding at railway companies and an honest pride in his own tricycle. Another commendable feature in Dr. Stokes's work is his frequent reference to authorities, both primary and secondary. The author's chief object was to stir up in 'a young university audience' interest in the early history of their country; this no doubt he has done, and the lectures form an excellent popular introduction, from the hand of a learned and able man, to a subject which he has studied widely and with keen insight.

W. H. HUTTON.

Iohannis Wyclif de Dominio Divino libri tres. To which are added the first four books of the treatise *de Pauperie Salvatoris* by RICHARD FITZ RALPH, Archbishop of Armagh. Edited by R. L. POOLE. (London: Wyclif Society. 1890.)

As the work of the Wyclif Society makes progress, the materials for a full estimate of Wiclif's character and influence are becoming accessible to readers of books as easily as to students of manuscripts. Some of the previous publications have thrown light upon several points and dates in Wiclif's life, but this work fills a position different from theirs. For the most part, any fresh light we have had has proved the judgment of Shirley to have been rarely at fault, though the present work shows similarly the truth of his opinion on the importance of Wiclif's theory of 'dominion' (see 'Fasc. Ziz.' page lxii); yet our thanks are particularly due to Mr. R. L. Poole, if only because his careful edition of the '*De Dominio Divino*' has illustrated the union in Wiclif of the schoolman and the reformer, with the weaknesses and strength of each.

Because we find the scholastic philosophy hard to understand, and because it seems to us so eminently artificial, it is easy to assume the influence of the schools upon the political and social life of a whole nation to have been small. But it should be borne in mind that the philosophers stood less aloof from all other classes than they do to-day; that their students, many in number, full of the theories and submissive to the authority of their teachers, passed in crowds from Oxford and other centres of thought to country villages and busy towns, eager to spread their ideas. There was in medieval times an intellectual cohesion of classes which is

wanting to ourselves, and the course of politics was more affected by political theories than it has been since. Bearing this in mind, the great influence of Wiclif during his life, and the development of Lollardism after his death become easier to understand: the former was due to his position as a scholastic teacher, and the latter sprang naturally from his opinions even where he would have disapproved of the turn it took. On both these points the present work throws much light.

The history of the manuscripts—especially the most interesting Cod. B—is well given and their relations to one another fully discussed. The Czech notes in Cod. B which enable us to follow the movements of the scribe are very interesting, and the localities where he worked are otherwise known as Lollard centres, a fact which illustrates the constant communication between members of the sect. The connexion with Bohemia is another point also of interest.

The date of the 'De Dominio Divino' is probably early, not long after 1367, when the 'Determinatio contra unum Monachum' (as given by Lewis—London edition 1720, page 363, and Oxford edition of 1820, page 349) on 'Dominion' was held. In any case the work gives us the theological basis of Wiclif's later positions, and views which, if he took his Doctor's degree in 1363 or thereabouts, he must have taught his pupils previously. Thus, for instance, the immediate supremacy of God (a source of spiritual strength but likely to lead to the denial of any earthly supremacy) is clearly expressed (see Book i. c. v. and also Book iii. c. ii.). But Wiclif is here the schoolman and not the popular writer, and does not follow out his view: while his treatment of it is from a modern point of view uninteresting and valueless. The stress he lays on a ministry of service to others is characteristic of a practical and laborious man, of one who started the 'Poor Preachers' and estimated the papacy and all other institutions of the day more by the good or evil they wrought to society than by anything else. Incidentally, too, several discussions are approached which, had the writer only followed them out, would have made him, in the eyes of some, more truly 'a reformer before the Reformation.'

In chapter xi. of Book i. there is an interesting discussion upon the opinion of St. Gregory, *Fides non habet meritum cui humana ratio praebebat experimentum*. Wiclif (as, in spite of Mr. Buckle and writers of his stamp, we might expect from a schoolman) argues in favour of free inquiry if carried on reverently, and displays a characteristic love of the Scriptures as the best of knowledge. Incidentally he expresses a view akin on the side of the intellect to the doctrine of 'justification by faith: ' *impossibile est hominem quidquam scire nisi praeve illustretur supernaturaliter pura fide*. But it was his peculiarity while starting with a complete system of thought to have certain parts of it only and not all quickened into vigour by outward pressure. Thus his doctrine of dominion (his by right not of paternity but of adoption) became important, but views more purely theological as apart from practice he left in the background.

It is peculiarly important to see here how views and theories, sometimes put forward as peculiarly reformatory and characteristic, were direct products of the scholastic system of the day, and are here found as such. But Wiclif was more than a schoolman, bold, if not always practical, and

learned; he was also a practical demagogue (if we may apply the word to him), eager to popularise discussions sometimes confined to the schools, and so to influence the mass of the nation. It was this popular instinct, this national feeling, that distinguished him among schoolmen, and to which he owes his greatness. To understand his character aright we must of course know him as the schoolman, but as a schoolman he was merely a type, in no way original or creative, apart from his popular instincts. In this mixture of two nearly opposite functions lies his chief weakness and defect; he failed where the schoolman passed into the popular leader. He was too theoretical, too little guarded in possible inferences from his theories, to be a wise leader and to leave behind him enduring results, although these theories were often noble, and their ideals lofty.

In this work one such fault of his system comes before us, its innate communism and its antagonism to all society. His predecessor, Fitz Ralph (whose influence upon him can be best appreciated from this edition), held that property arose from sin, in which connexion is to be noted Wiclif's legend of the condemning voice from heaven when the church was first endowed. In the ideal state, in a society perfectly holy, property could not exist, while theoretically (although Wiclif qualified this by other considerations and in his own mind) rulers and owners forfeited their position by sin. These were dangerous views to put out (even in Latin, since probably too sharp a distinction is made between the popular effects of Wiclif's English and Latin works, if we suppose the latter only affected the learned—a thing quite impossible to believe) in times of peasant revolts and poor Franciscans. When these views—stript of all cautions and qualifications—reached the lower classes, they were certain to encourage their rashness, and to bring Wiclif himself into antagonism to society and discredit with its guardians. And so the teaching of the most devoted and sincere of patriots became a danger to the state. It is true he himself postulated sin as a condition of human society (he does so expressly in his 'De Dom. Civ.') but all his followers would not follow him here, and ideal societies were believed in too generally for the caution to be remembered. The missing link between utter communism and his view that property arose from sin while the righteous owned everything was found in the possible existence of an ideal state, which Wiclif himself was too practical to expect. If he taught these doctrines at an early date (as he probably did), and if Fitz Ralph taught them before him, the puzzling statement of Ball that he derived his views chiefly from Wiclif may be reconciled with the fact of his condemnation as early as 1366, even if he could not so derive his views of transubstantiation.¹

The editor has done good service by reprinting the first four books of Fitz Ralph's 'De pauperie Salvatoris,' showing whence Wiclif derived his theory of dominion and a good deal else. The date of the work is perhaps scarcely settled by the language of the dedication, for the mention of Hibernia in it seems to show it at any rate to have been written after he left Ireland, but, whenever written, the work itself was a great feature of a great struggle. The mental dependence of medieval thinkers upon each other was related to much else of medieval times, to the permanence of tradition, and the respect for authority, and was the great factor

¹ Cf. Lechler, last edition, pp. 374-5.

in preserving knowledge. Enough is here given us to show how closely Wiclif followed Fitz Ralph, how, in the words of the editor, 'he has added no essential element to the doctrine which he read in the work of his predecessor.' But he carried them further, too far for safety, when he based his politics upon them, and they passed beyond the lecture-room. Wiclif's true importance—so far as originality is concerned—is political and literary; otherwise he is typical, but by no means original or creative.

The editor has given us an edition careful and complete in all respects (such as we have learnt to expect from him); it is a real contribution not only to our knowledge of Wiclif, but to the interesting study of medieval thought.

J. P. WHITNEY.

Acts of the Privy Council. New Series. Vol. I. 1542–1547. Vol. II. 1547–1550. Edited by J. R. DASENT. (London: Eyre and Spottiswoode. 1890.)

THIS work takes up the records of the privy council at the point of time where they were left by the last of the seven volumes of 'Proceedings and Ordinances of the Privy Council of England,' which were published by Sir Harris Nicolas, under the authority of the Record Commissioners, fifty years ago. That volume, which appeared in 1837, contained minutes of the council meetings during three of the later years of the reign of Henry VIII, from the middle of 1540; minutes which were much fuller and more careful than the broken and scanty records that were brought together in the six previous volumes of the series. Indeed, no records or acts whatever of the council had been kept for a hundred years before 1540, and there is a gap of that extent between the sixth volume of Nicolas and the seventh. But in the year which saw the fall of Thomas Cromwell it was resolved to adopt a regular method of registering the proceedings in a book, in which the clerk of the council, who was to be appointed, should enter the names of those who were present, and the chief matters, after every meeting. This resolution is itself the first entry that was made, 10 Aug. 1540, in the book that then began to be kept; a fortnight after the death of the powerful minister who had accumulated on himself so many of the offices of state.¹ It seems as if the council of Henry, active enough before, expected thenceforward an increase of business, which would require official regularity. Certainly from that time their avocations were wide and various in carrying out the terrible laws of Henry; and the former editor of their proceedings concealed not his indignant astonishment at what he found in the minutes that he gave to the world. 'The Privy Council,' exclaimed Nicolas, 'exercised a despotic control over the freedom and property of every man in the realm. Its vigilance was unremitting, its resentment was fatal. . . . The number of persons accused before it of sedition and treason was astonishing.' The

¹ In my *History of the Church of England* I have pointed out this coincidence. 'Cromwell had not been dead a fortnight before a clerk was appointed to record the acts of the diligent body which in a manner took his place: although no clerk, no register, had recorded the acts of the Privy Council for a hundred years. A great destiny seems to have been expected; and the affairs which devolved on the Privy Council demanded official regularity. The Acts of the Privy Council take the place of the curious memoranda through which Cromwell assisted his memory or recorded his achievements.' Vol. ii. p. 258.

records of that strange tribunal, as it regards the reign of Henry VIII, are continued chronologically in the former of the two volumes now before us.

The historical student may sigh over the length of time that has elapsed between the publications of Sir H. Nicolas and the present undertaking of Mr. Dasent; and may be permitted to wonder why the latter should be called a new series, since Mr. Dasent begins where the former editor left off, and the first portion of his work is taken out of the same manuscript volume out of which the work of the former came. The delay, which is the chief thing to be regretted, appears to have been caused by an unfortunate imperfection in the originals, those large quarto manuscript volumes, bound in red, that are kept at the privy council office in Downing Street. There was a part of the first of these still left unprinted after Nicolas had filled his sheaf; but this remainder was not enough of itself to make a publication of good size. The next original to it, containing the register from 22 July, 1543, to 10 May, 1545, is lost; and the one after that, going on to the end of the reign of Henry, found its way a long time ago into the British Museum, where it has remained unknown to historians.²

In the former of the present volumes Mr. Dasent has printed the residue of the original, of which Nicolas edited the larger portion: he has indicated in place the hiatus of two years caused by the loss of the succeeding original, and has supplied the rest of the reign of Henry from the original in the British Museum. He has a luminous and interesting preface giving an account of the history of the undertaking, the state of the originals, and the main contents; and he has rendered the book easy of consultation by marginal summaries; and there are three complete indices, of places of meeting, of attendances of members, and general. The work could not have been more carefully done, and the labour must have been immense. He has even reproduced some rough delineations of merchants' marks, with which the scribes of the British Museum volume have decorated their margin.

As to the contents of the volume which thus completes the reign of Henry VIII, they are very various and often curious, but sometimes disappointing through the brevity of the entries. Domestic and public life alike lay open to Henry's council; and while they were continually issuing their summonitions, and sending their mandatory letters to every part of the kingdom, it is significant that there is scarcely any reference to parliament or the law in their proceedings. Their usual course was to cite men before themselves, and bind them under recognisances to obey their decision or to appear again, if need were. Mr. Dasent remarks that these recognisances became less frequent in the later years of Henry. In many cases of private nature, such as disputes about boundaries, it seems likely that the parties themselves appealed to the council; in others, such as suspected sedition, heresy, or verbal treason, information must have been procured from spies or otherwise. As to the public busi-

² I said, ten years ago, 'The Council Book was kept regularly for three years, and has been edited by Sir H. Nicolas. It was then intermitted to the end of Henry's reign, or at least it is not preserved in the Council Office.' *Hist. of the Ch. of Engl.* ii. 259. It was, however, not intermitted, but, as is stated above, one volume is lost, and the other was purchased for the British Museum in 1816, as Mr. Dasent informs us.

ness on which this vigilant body was engaged, it was chiefly military, commercial, and financial. The English pale in France, the Scottish marches, the necessity of hiring large bodies of mercenaries to defend such outposts of the realm as Calais or Guisnes, and Berwick or Newcastle; arms, ammunition, and stores, give rise to daily minutes. The navy, piracy, the police of the narrow seas, the regulation of imports and exports, constantly recur. As Mr. Dasent says, the council acted as a prize court, and also as a court of appeal in the questions that arose between the English and foreign merchants. To judge by their complaints, the latter must have found the English trade as hazardous as the foreign mercenaries declared that they found the English service. With regard to celebrated men, some interesting observations might easily be made out of the index of attendances. Thus, Cranmer was not half so assiduous as Gardiner at this period.

The second volume of Mr. Dasent's series contains part of the reign of Edward VI, to April 1550, taken from two of the books in the privy council office. These registers themselves are followed by an appendix of letters and orders of council, all of the first year of the reign, which come from the end of the book, already mentioned, belonging to the reign of Henry VIII, which found its way into the British Museum. The blank leaves at the end of that book were used apparently for a 'letter-book' by the clerks of the council of Edward. And in Mr. Dasent's volume these letters and orders are followed, consecutively as to date, by some more, taken from a Harleian manuscript, which Harleian manuscript is one of Starkey's transcripts, of the seventeenth century, made, as Mr. Dasent conjectures, from another perished 'letter-book'; though Starkey, when he made his extracts, seems to have thought that they were from the acts themselves of the council. Mr. Dasent does not say whether he has collated another Harleian manuscript, No. 2308, which is entitled in the catalogue 'An abstract of sundry principal matters entered into the council book of Edward VI, from the beginning of his reign to February 6, 1550;' and perhaps it lay beyond his editorial duty to intimate that large portions of the council book of Edward have already been printed by historians, especially by Burnet. In the collections to his history of the Reformation, Burnet has printed the arrangements for the coronation of Edward VI, the commission the issuing of which was the pretext for the disgrace of the lord chancellor Wriothesley, the royal commission making Somerset protector, Bonner's protestation on receiving the king's injunctions and the homilies, the articles against Lord Seymour of Sudeley, Seymour's answers, and the order for his execution, and several of the numerous letters that passed at Somerset's first fall. On this last matter, the paper war in which Somerset fell, it may be further remarked that one letter printed by Burnet, No. 45 in his collection, is not in Mr. Dasent's book, though Burnet professedly took it *ex libro concilii*. It seems rather hard on Burnet and other previous writers and collectors to have their labours ignored in the Record publications. Thus, in the present case of these letters about Somerset, Mr. Dasent has inserted from the 'Domestic State Papers' a handbill of the time, which is not in the acts that he is editing. Well, Tytler printed that handbill sixty years ago, with the particular remark that 'this handbill supplies a hiatus in the MS. privy council books of Edward VI' (Tytler, i. 211); but Mr. Dasent says nothing of

this; he only refers to the 'Domestic State Papers.' Ellis printed a letter of the council to Cranmer and Paget more than sixty years ago, which Mr. Dasent has (p. 335); but Mr. Dasent refers not to Ellis. The ignoring of predecessors is a great and growing evil in the literary world. To go on, I may add that the long resolution of the council about the guild lands of Lynn and Coventry (p. 193) was printed for the first time by me ('Hist. of the Ch. of Engl.' ii. 462). It is somewhat injurious to the burgesses of those towns, who in parliament so stoutly withstood a monstrously destructive measure, to tax them with 'systematic obstruction and the devices of modern parliamentary tactics,' as Mr. Dasent does. In another place he speaks of 'conscience money,' using a modern phrase to describe a matter in which Latimer was concerned, and of which (it may be added) there is much in Latimer's sermons (comp. my work, iii. 179). These are slight examples, it may be, of a very objectionable method of illustrating historical points by things that were future to them; a method which was invented by Dr. Arnold of Rugby, and of which his illustration of the battle of Cannæ by the battle of Fontenoy was a palmary and execrable instance.

Mr. Dasent's preface to this volume is considerably longer than his preface to the other, and is certainly valuable; but perhaps it might have been shortened advantageously by omitting some of the remarks that seem intended to adjust the council book to the history of the reign. It would have been better to have kept to the literary business of editing. If, however, an historical introduction was to be interwoven in the preface, this is fairly done; though there is a lack of reference to other contemporary sources, which one might expect to be adduced, when some particular remark or point is made. To take one instance, remark is made on the appointment of the afterwards notorious William Thomas to be clerk of the council; might it not have been worth while to add that the appointment was important enough to be recorded by the young king himself in his journal? There is also a weak way of expressing well-known things, as if they had now been newly discovered, or now might be conjectured to have been what they were: a surprised way of speaking, which gives the look of not being intimate with the period, such words as 'seem' or 'appear' being used regarding perfectly certain facts. Occasionally too the reflexions made strike oddly. Thus, we read that 'although from the date of the disgrace of the chancellor, the protector appears to have established his supremacy over his colleagues, the first volume of the register gives no indication of their dissatisfaction.' It would have been more to the point to have said that though they soon grew dissatisfied with him after raising him to their head that he might conduct the revolution for them, there is nothing in the first volume to indicate it. 'The dramatic incident of the attainder and execution of Somerset's brother seems at the moment only to have further consolidated his power.' This may be true, but it is not the obvious reflexion on the event. Seymour of Sudeley was obnoxious to them all; they all joined against him without scruple. Again, the endeavours of the council to stop the princess Mary's mass 'seem to have been ineffectual.' The struggle between the princess and the council was one of the chief features of the reign. 'The allusions to parliament are disappointingly few.' It would have been disappointing, or at any rate disconcerting, if the most tyrannical cabal that ever

governed England had made many allusions to parliament, bad as parliament was. The Irish chancellor, Allen, 'appears to have been restored to favour, if not to his office, and to have been sent to Ireland upon the king's business.' No doubt he was; he wrote letters from Ireland, as to which see Mr. Hamilton's calendar. Bellingham 'appears again to have been superseded' by St. Leger in Ireland about the beginning of 1550. So Leland. In March 1550, Lord Shrewsbury 'is distinctly described as president of the north.' So he was; and so he is named in Strype's list of the council of the north (*Eccl. Mem.* ch. 25). 'The continued absence of Gardiner, the bishop of Winchester, must be attributed to his aversion to the religious changes on which the protector was so obstinately bent.' It would have been enough to have pointed out his continued absence without attributing it to anything. The cause assigned is true, but notoriously true. If some particular note was to be made, it might have been that Gardiner was affronted from the first by being excluded, very suspiciously, from the number of the executors of Henry VIII's will. It is more curious to find the remark that Sir Thomas Smith 'appears to have been one of the clerks of the council for a short time,' for this is unknown, if it be true. But it might have been mentioned that Smith is said in his biographies to have been 'clerk of the queen's council,' that is of his patroness Catherine Parr; and perhaps this is the explanation of the entry here. There is in fact a certain want of mastery in the historical observations in these prolegomena; they might have been spared in favour of something bibliographical, some account of the transcripts which exist of parts of the council book, of the extracts that have been formerly printed from it. However, the editing is excellent. We may wish Mr. Dasent good speed with the acts of the next part of the reign; with which, by the way, the learned Wharton showed himself well acquainted in the *pars secunda* of his 'Specimen of Errors.'

R. W. DIXON.

The Dawn of the English Reformation: its Friends and Foes. By HENRY WORSLEY, M.A. (London: Elliot Stock. 1890.)

MR. WORSLEY'S book is a forcible illustration of the law of diminishing returns to which historical work is in some measure subject. To adopt the words of Mill, after a certain amount of research has been applied to an historical field, every increase of historical produce is obtained by a more than proportionate increase of research, unless the art of historical writing is meanwhile improved. Mr. Worsley has failed to apply more capital and labour, in the shape of manuscript research and learned investigation, to the field he has chosen for cultivation. His book begins with the classical revival at Oxford and ends with the death of Wolsey. Had he adhered to the biographical method which he proposes in his preface, he would have been more successful. His life of Tyndale aims at a high standard of accuracy. The last half of the book, however, which we may suppose is intended for a biography of Wolsey, aspires to treat of general history. Leaving the lives of obscure men, he falls back on tales of diplomacy retold from Brewer. He seems from the first to have felt uncertain for what class of readers he was writing. From the frequent references to the calendars of state papers it would appear that he wishes

to get his facts at first hand and to write for the learned. But as a rule the facts contained in these references have been discovered and digested ere now by well-known historians. Their authority, he tells us in his preface, he does not propose as a rule to cite. Occasionally he remembers the 'general reader;' for him are the titles of the chapters, 'The Crown and the Tiara,' 'One Condition to Success Wanting,' and for him too are the flowery descriptions of imaginary scenes and the free use of the 'historical present.' Mr. Worsley's facts are generally accurate, but at times he allows his piety to lead his judgment astray. We think that the editor of the 'Visitations of the Diocese of Norwich' would not like to hear that they are 'much of a piece with the "Visitors' Letters."' He undervalues Dr. Gasquet's historical work, because Dr. Gasquet does not allow his readers to forget that he writes as a Roman Catholic. Neither, however, does Mr. Worsley allow us to forget that he writes as a clergyman of the Church of England. His own enthusiasm for Tyndale's New Testament leads him to think that it must have found a ready reception among the working classes. Brewer, with keener historical insight, rejects the accounts on which this belief is based. 'To imagine that ploughmen and shepherds in the country read the New Testament in English by stealth under hedges, or that smiths and carpenters in towns pored over its pages in the corners of their masters' workshops, is to mistake the character and acquirements of the age.'

In spite, however, of these obvious defects, the book pleases because it evidently afforded pleasure to its author; stories from Foxe's 'Acts and Monuments' and from Strype's 'Memorials' never fail to have a certain freshness, and may be profitably read in any guise. MARY BATESON.

La Chambre Ardente : étude sur la liberté de conscience en France sous François I^{er} et Henri II (1540-1550). Suivie d'environ 500 arrêts inédits, rendus par le Parlement de Paris de Mai 1547 à Mars 1550.
Par N. WEISS. (Paris: Fischbacher. 1889.)

RELIGIOUS persecution is so frequently exaggerated by the sympathy of contemporaries and underrated by the scepticism of posterity that indisputable official data are of peculiar value. As such must be regarded the register of the decisions of the chamber of the parliament of Paris popularly known as *La Chambre Ardente* which has been discovered and published by M. N. Weiss. This chamber was, as the author found after the body of his book was written, constituted by an ordinance of Henry II dated 8 Oct. 1547. It was differentiated from the criminal section of parliament, and was designed to deal exclusively with cases of heresy. The new court consisted of twenty-four members, of whom twelve were usually sitting, while not unfrequently commissioners were despatched to provincial hotbeds of heresy to investigate the negligence or stimulate the activity of the local officials.

M. Weiss has printed in full the decisions given between 3 May and 30 Oct. 1548, while he has summarised the cases from 17 Nov. 1548 to 29 April 1549, and from November 1549 to February 1550. To these is added a summary of the decisions on cases of heresy given by the old criminal chamber between 2 May and 23 Dec. 1547. It will be seen that

there are two important lacunæ for two terms, during which, from other sources, persecution is known to have been active.

These years are of especial interest because they lie between the two periods in which heterodoxy became somewhat of a fashion, connecting itself with literature in the reign of the father of Henry II, and with politics in those of his sons. In the sentences printed there is no pretence of any crime against the social or political order of the state; the charges consist of heretical speech and opinion, of the reading of heretical books, occasionally of attendance at secret conventicles, very rarely of insults to the established religion.

In the origins of the religious movement in France the questions of local and of class distribution are always interesting, and it is precisely on these that light is thrown, though unfortunately the profession of the accused is frequently not stated. The competence of the parliament of Paris was confined to its own *ressort*, comprising less than a fourth of France. Active as it was, it was less ferocious than the provincial parliaments of Rouen, Bordeaux, Toulouse, or Aix, and in a great part of the district under its jurisdiction reform was, during the wars of religion, practically non-existent. Nevertheless for the six months ending October 1547, there are seventy-two decisions, and for the fifteen months of 1548 and 1549, three hundred and sixty-six. Some of these, however, refer to the same persons, and by no means all the decisions are sentences. On the other hand, several persons are frequently included in the same sentence. The increased activity of the new chamber is proved by the fact that during fifteen months of its sessions there are sixty capital sentences against one in the six months preceding its institution. Moreover the subsequent fate of those sent to torture with the proviso that confession should be followed by the stake is not stated.

The heretical contagion was at this period widely spread. It is found on and around the Somme at Amiens, Hesdin, and Montdidier. In Champagne and the Isle of France it is prevalent at Rheims, Troyes, Langres, Sainte-Menehould, infecting the rivers which feed the basin of Paris from Sens, Lagny, Meaux, and Pontoise. To the eastward it creeps down past the Burgundian frontiers, from Auxerre to Nevers, Moulins and Riom, gaining strength in the mountain air of Auvergne. It seems to be endemic in the towns along the Loire and its affluents, at Bourges, Gien, Orléans, Blois, and Tours, and from Chateaudun to Vendôme and Angers. The little riverain towns of Meung and Beaugency appear to be incurable. This district was for long the debateable ground between the two religions. South of the Loire heresy is found at Poitiers, Châtellerault, Niort, La Rochelle, and especially at Cognac; while northwards of the great river it is prevalent in the district of Chartres, afterwards the eye of the Catholic League, and extends to Le Mans.

Among the victims are very few members of the upper classes. In the case of many, heterodox potentialities lay dormant since the court showed itself to be in earnest; others were possibly too influential for the interference of the local officials, and a considerable number migrated in the winter of 1548-9; Geneva alone in 1549 gave hospitality to sixty-two Frenchmen of the well-to-do classes. Among those who prepared for exile was the afterwards celebrated François Hotman, son of one of the

most active members of the *Chambre Ardente*; while Déode de Bèze, the handsome prior of Longjumeau, was among the fugitives. The victims are drawn chiefly from the lower classes, which at once distinguishes this period from the later history of French reform. There are one or two gentlemen, a few merchants, chiefly from the south, a canon, several advocates and finance officials, a bookseller, an ironmaster, and a police officer. But the bulk of the accused belong to the lesser trades and include weavers, vine-dressers, musicians, painters and glaziers, binders, apothecaries, shoemakers, hatters, carpenters, domestic servants, pastrycooks, cutlers, locksmiths, blacksmiths, tinsmiths and silversmiths, ribbon-makers, saddlers, bakers, and barbers. Among the accused are some forty women: these are at first leniently treated, but the judgments become increasingly severe. Two at least suffered martyrdom, and several were whipped naked through their towns on market days. The lawyers showed a sense of humanity in the case of Claudine Baillet, whose whipping was deferred until six weeks after her confinement.

In France as in Germany the reformation early found entrance into the monasteries; no order, not even the Dominicans, was without taint. No such case indeed occurred in the *ressort* of Paris as that of an Augustinian convent at Rouen where there were thirty-two suspects. There are, however, in the registers printed the cases of some thirty-six clergy, most of whom belong to the regulars. Parish priests are few, but Englishmen will be surprised to find the incumbent of Bray suffering for his faith.

Constant complaints are made by the legal officials as to the negligence of the bishops in not giving them adequate support. The episcopal staff was not always above suspicion, but the bishops were no doubt jealous of secular jurisdiction. And partly for this reason Henry II was induced to close for a time the *Chambre Ardente* and in cases of heresy pure and simple to enlarge the jurisdiction of the ecclesiastical authorities. The new edict took effect from the beginning of 1550, and the prisoners awaiting sentence in the Conciergerie were conveyed to their respective dioceses.

M. Weiss prefaces his documents by a study on the reformation between 1540 and 1550, and his book is adorned by interesting plates of the old Palais de Justice and the usual scene of martyrdom, the Place Maubert.

E. ARMSTRONG.

Geschichte der Juden. Von H. GRAETZ. VIII, IX. Dritte Auflage. (Leipzig: Leiner, 1890-91.)

History of the Jews. By the same. Authorised English translation by Miss B. Löwy. I, II. (London: Nutt. 1891.)

A History of the Jewish People in the time of Jesus Christ. By E. SCHÜRER. Translated by the Rev. JOHN MACPHERSON. Division I. (Edinburgh: T. and T. Clark. 1890.)

Le Saint-Siège et les Juifs: le Ghetto de Rome. Par EMMANUEL RODOCANACHI. (Paris: Firmin-Didot. 1891.)

In the course of the year the eighth and the ninth volume of Professor Graetz's '*Geschichte der Juden*' have reached a third edition.¹ Both are

¹ We regret to have to record the death, last month, of the eminent scholar to whose work it refers.—ED. E. H. R.

revised and enlarged, the eighth principally on the matter of the religious dispute at Tortosa in 1413, and the rabbis concerned in it; and the ninth on the settlement of the Portuguese exiles in Holland, about 1600. The first two volumes of the English translation of his epitomised history of the Jews from the earliest times to the present day will be welcome to English readers. They reach the epoch of the close of the Talmud. It is to be regretted that the notes of the original are entirely left out. A great number of facts being based upon corrections of the original texts of the Bible as well as of the Talmud, students will have to take them unchallenged from the English edition. In order to make room for epitomised notes without exceeding the five volumes proposed for the English translation, the part of the history in Biblical times might have been left out without any inconvenience, since there is no lack of books dealing with this period, and most English readers are well acquainted with the Old Testament. Professor Graetz says, in a short preface, that 'historical students are usually acquainted with the German language, and can read the notes in the original,' but if they can do that, why should they not read the German work altogether? Let us hope that this inconvenience will disappear in the next three volumes, and that by some additional notes at the end of the work some compensation will be given for the omission in the first two volumes.

In the first division of the English translation of Professor Schürer's second and enlarged edition of the '*Geschichte des jüdischen Volkes im Zeitalter Jesu Christi*,' the English student will find an exhaustive account of the history of the Jews from Maccabean times to the end of the revolt of Bar Cocheba under Hadrian (175 B.C.-135 A.D.) Here all the notes of the German edition are reproduced in full.

Among monographs on special history we have to record the history of the Ghetto of Rome by M. Emmanuel Rodocanachi, which contains a complete political history of the Jews in the Papal States from the time of the Romans to our own, largely based upon manuscript documents. No such special work, says the author, has as yet been written upon the Ghetto of Rome; for Dr. Berliner's book, published in 1886, was but a sketch, and of Signor Natali's '*Il Ghetto di Roma*' the first volume only has been issued (1887). M. Rodocanachi begins with an introductory chapter on the Jews at Rome in general; the popes, he says, although putting upon the Jews many restrictions and vexations, treated them less cruelly than any other government. The book itself is divided into three parts: '*Séjour, mœurs, physionomie*,' of which the first deals with the epoch of the arrival at Rome of the first Jews who settled in the Trastevere, down to their removal in the eleventh century to the left bank of the Tiber. The rich Jews, however, continued to dwell in other parts of the city. To this, however, an end was made by Pope Eugenius IV. When the landlord, taking advantage of the conditions of their residence, became too hard towards his Jewish tenants, the *jus gazaga*, i.e. '*jus inquilinatus*' (*gazaga* representing the Hebrew word חֻקָּה, 'possession by tradition in the family'), was established. This generous treatment was continued by some of the popes and stopped by others. Our author gives in the following chapters a topographical description of the Ghetto, and a history of the development and the constitution

of the Jews. Then follows the history of the Jewish community under the emperors and the popes, which varied much according to the personal will of the ruler, and of the finances of the Ghetto, and the book concludes with a chapter on the recruiting of the catechumens, and on the obligatory sermons which the Jews had to attend. Our author ends with the following summary concerning the Jew in the papal states. *Cette longue période du moyen âge, qui constitue la grande époque théocratique, est considérée d'ordinaire comme l'ère de l'intolérance et de l'oppression religieuse. Et pourtant ce fut le temps où les Juifs furent traités à Rome avec le plus de douceur.* In later times, he proceeds to say, *La papauté n'est plus une puissance universelle, mais une puissance temporelle renfermée dans d'étroites limites, un état en rivalité avec d'autres états dont elle devra fatalement suivre les erre.* De là vient un bizarre mélange de tolérance et d'oppression. Les papes pressurent les Juifs pour alimenter leur budget, les molestent pour apaiser leurs remords, et, quoique un peu négligemment, s'appliquent à les convertir. Plus sages néanmoins que beaucoup, ils n'expulsent, ni ne dépouillent, ni ne torturent.

A. NEUBAUER.

Der Augsburger Religions-Friede. Von GUSTAV WOLF.
(Stuttgart: G. J. Göschen. 1890.)

THIS monograph is a careful analysis of the negotiations preceding and during the diet of Augsburg which ultimately resulted in the Religious Peace. The fact that to this peace Germany owed more than sixty years of almost unbroken quiet in an age of universal war is sufficient justification for detailed treatment. The author opens with an admirable summary of the characters and aims of the chief actors in this diplomatic struggle, whether catholic or protestant, and it is of interest to mark the early divergences in the protestant party, which gradually widened throughout the course of the ensuing half-century. Augustus of Saxony was, above all things, desirous to maintain and legalise the *status quo*, to place religious parity in the case of existing protestant powers above all question. Frederick of the Palatinate, on the other hand, foreshadows the policy of his house. Though not a professed protestant he looked forward to possibilities of wide proselytism. Partly this was due to the fact, that whereas Saxony had long been completely protestantised, the conversion of the Palatinate was still imperfect, and within its borders the south German bishops had extensive revenues and jurisdiction. Any system, therefore, that was not self-acting and progressive would prove a fatal barrier to religious change in the electorate. In addition to this it was recognised that Frederick was near his end, and his successor, Otto Henry of Neuburg, led the forlorn hope of the protestant left wing, declaring that he would be content with nothing but freedom of worship for all estates of the empire, without reference to date, and freedom of conscience for all their subjects. The elector of Brandenburg, 'the friend of compromise,' religious or political, was the least protestant of his party. He would have preferred a confession on the lines of the Interim to unite the two religions.

This being impossible, his tendency was to attach himself to the more moderate policy of Augustus, though in the matter of ecclesiastical reservation he was drawn over to the extremists by the hopes of the legalised secularisation of the neighbouring bishoprics already occupied by his relations. His brother, Hans of the Neumark, was, from religious convictions, devoted to the left wing, and with it was also connected the young heir of the Ernestine line of Saxony, whose representative, Eberhard von der Thann, took a leading part in the negotiations. It was not as yet clear that the rigid conservatism which led John Frederick to cling to the maxims of his father and of Luther would part him from his present associates, who believed in the possibility of doctrinal progression. Much interest attaches to the endeavours of Christopher of Württemberg who had a powerful following in western and southern Germany. He believed that the political and religious disruption of the protestant party could only be avoided by the formularisation of a common creed and discipline under the guarantee of the secular rulers.

No question, perhaps, led to more debate than that of the disposal of revenues belonging to ecclesiastical princes within territories already protestantised, but it was recognised that the most vital point of dispute was the clause on the ecclesiastical reservation, for protestantism would lose its power of geographical expansion were forfeiture of temporalities to follow the conversion of an ecclesiastical prince. The effect of the clause, moreover, was to crystallise the catholic majority in the college of princes, a grievance already so acute that the protestant electors who had, if not a majority, a predominance in their own college, did their utmost to dispense, as far as possible, with the co-operation of the princes. Ferdinand, however, threw his whole weight in this matter on the catholic side, and the protestants were forced to acquiesce passively; though from the first they declined to recognise the constitutional validity of the clause. They realised possibly that the question was not of such vital importance as it appeared, for, while they were strong enough, they disregarded the clause, whereas had it not existed the catholics would have enforced its principles when the reaction came. Yet it may be said to be chiefly due to the result of this dispute that 1555 is regarded as the high-water mark of German protestantism. In the clash of personal and political motives it is pleasant to read a phrase from a private letter of a Württemberg councillor who had been foremost in the fight for his party. 'If an ecclesiastic will liefer have his bishopric or his prebend left him than the true knowledge of God and the pure love of the gospel, then is he no Christian nor worthy of Christ.'

E. ARMSTRONG.

Papes et Tsars (1547-1597), d'après des Documents Nouveaux.

Par le P. PIERLING, S.J. (Paris: Retaux-Bray. 1890.)

FATHER PIERLING continues his researches in the papal and Venetian archives, and is able to throw light on many obscure points in Russian and Polish history of the sixteenth century. The work before us deals with the labours of the Jesuit Possevino, the main object of whose life was to bring schismatic Muscovy into the Roman catholic fold. The

neighbours of Russia, especially the Poles, viewed with an ill-defined dread the growing power of that country, which seems now for three centuries to have been the *bête noire* of European politicians. Their chief object was to cut off Russia from all intercourse with her western neighbours, with whom she might form advantageous alliances and from whom procure material help. Herberstein, the German ambassador, had visited at the beginning of the sixteenth century the strange country about which such marvellous stories were circulated: he described to the outer world the barbaric splendour of the court of Basil. Later on we find the attempts of the German Schlitt to procure medical men, artisans, and other useful agents for Ivan resulting in a failure. The ingenious men he had collected were stopped *in transitu*: not one of them reached Russia. Father Pierling has done a great deal to explain the character of this strange adventurer, who made some extraordinary representations about the object of his errand in the countries he visited, among others that the tsar was willing to enter into relations with the pope. At last an opportunity occurred of penetrating the recesses of Muscovy. The feeble Sigismund Augustus, after the brief intercalary Henri de Valois, had been succeeded in Poland by the brave Stephen Batory, a soldier who soon proved an uncompromising enemy to Ivan, and the chief feature in whose political programme may be described as the dismemberment of Muscovy. It was to this purpose that all his plans were directed. Taking advantage of the struggle between Batory and Ivan, Pope Gregory XIII sent Possevino as a mediator during the siege of Pskov in 1581. Through papa influence the treaty of Yam Zapolski was concluded in the following year on terms more favourable to Ivan than could have been expected.

Possevino now found the road open to Moscow, and thither he accordingly repaired. It need not be said that the details of his journey are deeply interesting, but especially interesting are his conferences with Ivan, who received him civilly, but was prepared to argue theological matters with him *à outrance*. The fact is, Ivan, like our Henry VIII, considered himself a doctor of divinity: when not occupied with the punishment of those of his subjects who had forfeited his favour, he was studying the fathers of the church and the decrees of the councils. He is said to have been able to repeat whole chapters of the Slavonic bible, and he probably never undertook a more congenial office than when he presided at the great church conference at Moscow in 1551, the result of which was the publication of the 'Stoglav,' or 'Book of the Hundred Chapters,' the manual of ecclesiastical ordinances for Russia, which has come down to us and presents a very curious picture of the manners of the time. An edition of this work appeared in London in 1860; the name of no editor is prefixed, but one suspects it to have been brought out by Herzen, who may have had the semi-political motive of showing how much of its independence the Russian church had lost since the sixteenth century. Had not Ivan also addressed in 1578 an epistle to the monks of the monastery of St. Cyril at Bieloe Ozero, pointing out to them their deviations from the standard of monastic life? The conversations between the Russian tsar and Possevino are given by Father Pierling. We gather from some of the letters written by the English merchants at Moscow, and published by George Tolstoi and elsewhere, that our countrymen did their best to

impress upon Ivan the notion that the pope was antichrist. Possevino seems to have been impeded in his religious programme by the indefatigable Horsey, to judge from the diary of the latter. He describes how he saw Possevino at the Polish court, in the position of the favourite priest and confessor of the widowed queen Anna Jagellionka, after the death of Batory, and adds of the Jesuit, he 'toke displeasur at my presenc; one whose skirts I had sate before in the cittie of Musco, when he was nunciat ther and rejected.'

Ivan, however, as he told Possevino, had no liking for Lutherans, a fact, indeed, which we know from his remarkable conference with the Moravian brother, Rokita, who had gone to the country in 1570 with an embassy sent Ivan by Sigismund. 'The Defence of the Russian Church,' which the tsar composed, was given in a splendidly bound volume to Rokita on his departure. The substance of it will be found printed in Lasicki's curious book 'De Russorum Muscovitarum et Tartarorum Religione' (Spire, 1582). We here see a strange side of the character of this cunning barbarian. Thus Possevino is destined to quit the gorgeous court of the tyrant *ἄπρακτος*, to use the Thucydidean word. The great object of his life had failed. He retires into obscurity, and during the reign of Feodore, the son of Ivan, Pope Sixtus V sends two more embassies to Russia, under a Dalmatian monk named Komulović, which likewise end in nothing. Father Pierling has been enabled to put before us all the main parts of these political manœuvres: we see the threads and cross-threads of the web. Batory is willing to listen to plans for the union of the Slavonic races against the Turks, but he really expects to absorb a large part of Russia, and has already minute plans for her dismemberment. Faithful son of the church as he is, this is after all his main idea. The papal authorities do not follow him so far; the *conversion* of Russia and the expulsion of the Turks from Europe are the chief features of their programme. But the great actors in the drama suddenly disappeared,—Ivan IV in 1584, worn out by his excesses and labours; Batory in 1586, undermined by a secret disease when in the prime of life, and leaving no one to carry out his grandiose designs. Had he lived we should probably have had some very different history made for us. His successor was the feeble Sigismund III, fanatically devoted to the church of Rome, but in every way a man of meaner capacity.

The works which Father Pierling has already published on the marriage of Zoe Palaeologa with Ivan III, and the relations of the pope to that mysterious personage the false Demetrius, form, in conjunction with the present production, a series of valuable monographs on Russian history, based upon new matter, furnished by foreign, especially papal, archives. The 'Historica Russiae Monumenta,' a work published by A. Turguénev at St. Petersburg in 1841, contains much important matter gained from foreign state papers, but Father Pierling has been able to supplement these extracts considerably. His list of manuscript authorities at the end of his book is very copious, Rome and Venice yielding the richest harvest.

The tone of the book is candid and honest, although the point of view of the author is quite obvious. He is severe, as might be expected, on the Polish dissidents generally and the Socinians in particular; against

them his hero, Possevino, was as ready to labour as against the adherents of the orthodox church. Let us hope, however, that some day the history of free religious thought in Poland may be written. The task was begun fairly well in the now forgotten work of Valerian Krasinski, 'Historical Sketch of the Rise, Progress, and Decline of the Reformation in Poland' (London, 1840); but much more could be said on the subject, which furnishes an extraordinary page, to say the least—and one which has been but little read—in the history of religious life and thought not merely of Poland but of Europe.

W. R. MORFILL.

Werken van het Historisch Genootschap gevestigd te Utrecht. Nieuwe Serie, No. 51. 1889. *Documents concernant les relations entre le duc d'Anjou et les Pays Bas.* (1576–1583.) Publiés par P. L. MULLER et A. DIEGERICK. Tome I (1576–8). (The Hague: Nijhoff. 1889.)

THIS volume contains documents, for the most part hitherto unpublished, relating to the negotiations between the duke of Anjou and the states-general, from the Pacification of Ghent to the formal treaty of alliance in August 1578. The main sources are the archives of Ypres and Utrecht and the MSS. de Béthune forming part of the Fonds Français in the Bibliothèque Nationale at Paris. The latter contain the very interesting correspondence of the duke's clever Huguenot *diplomate* Des Pruneaux. The first section of the volume relates to the abortive negotiations carried on from October 1576 to April 1577. They were resumed in September 1577, but were shortly closed by the offer of the governorship to the Archduke Matthias. More interesting and important is the continuous correspondence which led definitively to the treaty of August 1578. The council of state was extremely coy in yielding to the pressure put upon it by the agents of the duke, and took every opportunity of delaying any final conclusion. On the one hand there was an evident reluctance to exchange the German for the French connexion, and a yet more clearly expressed fear of offending Elisabeth, who subsidised John Casimir rather as the rival than as the ally of the duke of Anjou. On the other side was the urgent need for an effective auxiliary force, the fear that refusal might drive the duke into a Spanish alliance, and above all the danger that Hainault influenced by the comte de Lalaing should renounce its connexion with the Netherlands and accept the French general as its sovereign. It is noticeable, however, that even Hainault was not 'solid' in favour of the duke; the towns, less influential in this aristocratic country than elsewhere, were opposed to him; Quesnoy expelled the French troops, and Landrecies declined to admit them. The states-general were by no means agreeably surprised by the duke's sudden arrival at Mons, for this rendered a settlement imperative. They refused, however, to surrender their views on some of the disputed articles, according merely the title of Defender of Belgian liberty, instead of that of Protector on which he had insisted. So also they refused any ultimate alienation of the cautionary towns, pointing to acquisitions in Franche-Comté and Luxemburg as adequate compensation. The duke was allowed no right of interference in the internal government of the provinces, and in the

conditional engagement to accept him as prince in the event of a change of sovereign, the moot question of reversion to his heirs was passed over in silence. An appendix is devoted to showing the improbability or impossibility of the engagement between the duke and the prince of Orange of 13 Aug. 1578 by virtue of which the baron Kervyn de Lettenhove alleged that the prince, while reserving to himself the sovereignty of Holland, Zealand, and Utrecht, abandoned that of the other provinces to his ally.

E. ARMSTRONG.

Traicté de l'Économie Politique. Par ANTOYNE DE MONTCHRÉTIEU. (1615.) Avec Introduction et Notes par TH. FUNCK-BRENTANO. (Paris : Plon. 1889.)

POLITICAL economy and history have this not altogether fortunate characteristic in common, that they attract the incursions of the untrained. There is scarcely any other department of thought, save perhaps theology, in which it seems so safe for persons entirely without adequate preparation to print their opinions. One would have thought that a common distress would have made all serious students of either of these subjects careful not to make hasty inroads into the other. But it has not always had this effect; and it must be confessed that of late years economists have been grievous sinners. Some early treatise, let us say, attracts their attention by its title; they find that it anticipates modern doctrine; and straightway, without any inquiry into its relation to preceding literature, it is elevated into a position of unique importance. Such, for instance, has been the happy lot of Oresme's treatise on money in the fourteenth century. It is still more obviously the case with the edition of Montchrétien now before us. Montchrétien, there seems little reason to doubt, was the first writer to issue a book under the title of 'Political Economy.' This was no inconsiderable contribution to the movement of thought which was gradually separating economics as a distinct field of speculation from theology and philosophy; and, if for no other reason, Montchrétien deserves to be remembered, and his work to be reprinted. But it does not necessarily follow that, because a man treats of a subject by itself, his remarks will be wiser than those of his predecessors who dealt with it in conjunction with other matters. This does not seem to have occurred to M. Funck-Brentano. To him Montchrétien is 'the creator of a science in which the conceptions of the old master have never been surpassed' (p. ii; cf. p. xxiii, and note p. 129). His book 'contains the most complete body of doctrine that has ever appeared. Nothing is wanting, from the most elementary definitions to the exposition of the vastest laws' (p. xxiii). 'Of all the economists he is the only one who has understood the solidarity of the principles of free trade and protection' (p. xxvii). We need not enter into a discussion as to whether this unbounded eulogy would have any justification if Montchrétien's opinions were really original. We are relieved from that task by the discovery that there is hardly a single argument or proposal in the 'Traicté' which is not derived from earlier writers.

His most considerable, though never acknowledged, obligations are, as

we might guess, to the great work of Bodin, the 'Six Livres de la République,' which, appearing in 1576, had by the time Montchrétien set himself to write passed through several editions in both French and Latin, and had indeed become almost a text-book in western Europe. A sufficient proof is found in the passage wherein Montchrétien gives us what his editor calls *la formule parfaite du protectionnisme*; it is almost a verbal quotation.

'Quant aux matières qu'on apporte des pays étrangers il est besoin . . . le (sc. l'impost) hausser aux ouvrages de main, et ne permettre qu'il en soit apporté de pays étrange, ny souffrir qu'on emporte du pays les denrees cruës. . . .'—BODIN, bk. vi. ch. iii. p. 877 in ed. 1598.

'Que Vos Majestez . . . ne permettent point que l'on apporte les ouvrages de main, qui procedent de l'art des hommes, ne que l'on emporte les matières et denrées crues de ce royaume.'—MONTCHRÉTIEN, p. 247.

Moreover it is evident, on looking at the context, that Montchrétien is not here merely making use of a phrase which may have become current; he is copying Bodin with the 'République' open before him. For the paragraph beginning on p. 239, comparing the 'inexhaustible resources' of France with the mines of other countries, is taken from Bodin, p. 876; and after some four pages of general grandiloquence Montchrétien returns to his copy on p. 244 with the naïve remark, *Retournons d'où nous sommes partis*.

Considering that it is precisely for his masterly treatment of the question of trade that his editor recommends Montchrétien to our admiration and imitation, it is hardly necessary to go further. But it may be worth while to point out one or two other instances of plagiarism. On the question of currency (pp. 176 *seq.*) he makes much the same use of Bodin's chapter on the topic as in the case of customs: where he leaves his master, as in the assertion (p. 257) that the influence on prices of the new supplies of the precious metals can be overcome by a state supervision of trade, he falls into mere confusion. An amusing example of unabashed pilfering is afforded by Montchrétien's book iv., on the duties of the prince. He had already said over and over again all he really wanted to say; but he thought his book was not long enough, and proceeded to pad. One of the most original portions of Bodin's treatise was the opening chapter of book vi., in which he had advocated the establishment of the *censure*—a sort of combined census and statistical survey—as a means of exercising control over public morals and of introducing reforms into the administration. The proposal had by this time come to be widely known; it had already been the subject of a treatise by the celebrated juriconsult Obrecht of Strassburg. Montchrétien boldly picks out all the more important passages in Bodin's chapter, and transfers them to his own pages. The only precaution he observes is to invert the order. Thus pp. 344–345 will be found to correspond to Bodin's pp. 846–847, pp. 346–348 to Bodin's pp. 841–843, and pp. 351–353 to Bodin's pp. 839–840 (in ed. of 1598).

The condition of manufactures in France, which occupies Montchrétien's first book, is barely alluded to by Bodin. We have therefore to look elsewhere for Montchrétien's inspiration; and we have not far to go, for there is hardly one of his proposals which had not been made over and over again by Laffemas and others in the later years of Henry IV. Instead of representing an advance of thought, Montchrétien often occupies a more reactionary position; as, for instance, in his evident desire to drive all foreign craftsmen out of the country, while Laffemas would only insist that they should teach Frenchmen their superior methods.¹

According to his editor Montchrétien was a genius whom his contemporaries could not understand (p. xx); an ardent benefactor to his country, who threw himself into the Huguenot rising in which he lost his life because he dreamt of the realisation of 'vast aspirations and great views.' It is of course quite possible for a man sincerely to desire to benefit his country and himself at the same time: yet it may create a misleading impression if the personal motives known to exist in any particular case are left altogether out of sight. And there is one significant fact about Montchrétien's book which would seem to cast no little light on its character: it is that the industry for which Montchrétien first asks protection—an industry to which he devotes more space than to others certainly far more important—was the hardware trade, the manufacture in iron and steel of arms, tools, and utensils (pp. 46–58). This was, as it happens, his own business (pp. xii, xiii, xv).

Though Montchrétien was not 'a great economist,' his book is not without its interest. True, it is not much more than a thick mercantilist pamphlet: all its leading ideas are borrowed, its rhetoric is often wearisome and commonplace, and it displays but little judgment or balance of mind. But it affords a great deal of information as to the conditions of commerce and manufactures, and it shows the direction in which economic forces were going. His denunciation of foreign goods, especially Dutch, as cheap and nasty; his references to the labour of women and children; his complaint that factors and agents were ousting the old-fashioned merchant; the importance he attributes to the carrying trade; his advocacy of the Dutch plan of trading in companies; on these, and many other points like them, he will always be worth consulting.

W. J. ASHLEY.

Selections from the Papers of William Clarke, Secretary to the Council of the Army, 1647–1649, and to General Monk and the Commanders of the Army in Scotland, 1651–1660. Edited by C. H. FIRTH. I.: (London: Printed for the Camden Society. 1891.)

THE new volume of the Camden Society's publications will be studied with keen interest by students of the civil war; and it comes most opportunely to throw new light on what is known to be the most obscure period of the great struggle. It contains the reports of the councils and debates held by the army officers and 'agitators' of the new model

¹ Compare on the Italian glass-works Montchrétien, p. 95, with Laffemas, *Recueil*, &c. (1604), in *Archives Curieuses de l'Histoire de France* (1837), vol. xiv. 225.

between the period when the defeated king became the prisoner of parliament, and the outbreak of the second civil war. We are thus taken into the heart of the long duel between the House and the Army, between Presbyterians and Independents, which ended in the trial of Charles and the triumph of the soldiery. The present volume contains mainly unpublished notes of the negotiations and debates of the army representatives drawn up by the secretary, between April and November, 1647, covering the agitation caused by the votes of parliament for disbanding Fairfax's army, the army declarations, petitions, and deputations to the house, the rendezvous of the army threatening London, the abduction of the king by Joyce from Holmby, the march through London, and the military parliament held at Putney in November. It is the period covered in Carlyle's 'Letters, &c.' by the 'Army Manifesto,' and Letters, 45-50, beginning with the declaration of parliament, 30 March, as to the mutinous state of the army, and closing with the escape of the king from Hampton Court, and his imprisonment at Carisbrook. These eight months, which to a distant observer might have seemed a time of uneventful calm, really decided the issue whether the 'settlement of the nation' was to be ultimately carried out by parliament, led by Holles, Waller, and Stapleton; or by the army, led by Cromwell, Ireton, and Fairfax. The actual result has long been as well known as it was decisive; but the exact steps in these secret negotiations, and the parts played by the different actors in the intricate drama, have not yet been fully explained. The present issue does much to fill the gap. And it will be seen that the recovery of important speeches by Cromwell, Ireton, and others in his closest confidence, in debate with men like Goffe, Rainborow, and Sexby, during those fervid days when the Commonwealth was still in embryo, is an historical event of no small value, which, in its way, may be compared with the recovery of Burton's 'Diary.'

Sir William Clarke, as he became at the Restoration, which he lived to serve as secretary at war, was appointed assistant secretary to the new model in 1646, served as secretary to the army council, 1647-1649, was secretary to the army in Scotland, 1651, and to Monck until the Restoration. This he promoted and served, and he was killed by the Dutch, in the sea-fight off Harwich, under Monck, in 1666. He was, it would seem, a useful and industrious official, of no special gifts and of no fine principles, a draftsman and reporter, and not a very good reporter, but one who, in his own way, has left us invaluable notes. His son, Dr. George Clarke, also secretary at war under William III, bequeathed the papers to Worcester College, Oxford, in 1736. Mr. Coxe gave some account of this collection in 1852; but it has not been used by historians, and a first instalment of it, with the omission of such documents as are already to be found in print, is now published for the first time.

The task of the editor has been full of difficulties. The letters and reports of 1647 were not transcribed until 1662; and the transcripts, which alone for the most part remain, are full of inaccuracies and confusion. Sentences in the copy have been transposed, the wrong words and names were blunderingly inserted, letters were left undated and unsigned,

initials were freely used, christian names omitted, and 'officer,' 'major,' or 'bufte-coate' are among the speakers. All this has been admirably cleared up by Mr. Firth, who has given to all students of the civil wars so many guarantees of his accurate scholarship and minute knowledge. He knows his way about the *personnel* of parliament and army as thoroughly as a modern newspaper editor knows his members of parliament and social notabilities. And thus, by Mr. Firth's guidance, we can pick our way clearly through the confused tangle of these intricate negotiations, mindful of the warning of old given to the historian of civil wars (if we may apply it to documentary perplexities as well as party prejudices), *incedis per ignes suppositos cineri doloso*.

The great interest of these new 'Clarke Papers' centres in the debates of the army during the negotiations with the then presbyterian parliament. And of course the really important point is the light they throw on the character and aims of Cromwell and the part taken by him and by Ireton. To come to the pith of it at once, the outcome of these new documents is to support the view of those who have regarded Cromwell, even so early as 1647, as an essentially conservative and moderating force, as deeply impressed with the need for maintaining the authority of parliament, and as full of dread of a mere military rule. He always appears as the mediator, urging moderate counsels, adjournment of troubled questions and national and permanent interests, rather than either mere army or mere parliamentary objects. He is so willing to admit the force of his opponents' arguments, so ready to compromise and to conciliate, to try first one, then another expedient, so entirely without *parti pris*, so evenly balanced in judgment, and so willing to shift his ground, that to a casual observer the great dictator does not seem to know his own mind, and to be waiting to see what will turn up. The fact is, that Cromwell was already in 1647 what he was officially ten years later, the Protector of the Commonwealth.

His 'heating about the bush' and 'seeing both sides of the question' was essentially a part of his whole political character, which was at bottom conservative, tentative, intensely cautious and circumspect. In the heat of council, as in the fury of battle, Oliver was always looking round, watchful of the flanks, the rear, possible surprises. He is always taking in the general situation all round, and is ever ready to accept the easiest and most moderate solution compatible with the interests of all. He is one of the greatest masters of opportunism (that is to say, of practical sense) recorded in political history. He deals with Joyce, Sexby, and Goffe as if he deeply sympathised with them in heart, but felt with his brain that they would spoil all if they were not kept tight in hand. How noble a spirit rings in the speech, pages 184-9, at the council of war at Reading, 16 July, a fortnight before the march on London! The lieutenant-general evidently feels that this extreme step will have to be taken; but he fights against it with a last hope of a more peaceful settlement. He reminds the soldiers that their aim is 'a generall settlement of the peace of the Kingdome and of the rights of the subject that Justice and Righteousnesse may peaceably flow out upon us. That's the maine of our businesse.' And then he urges the great importance of

obtaining a treaty from parliament and its ulterior usefulness. 'Whatsoever wee gett by a Treaty,' he says, ' . . . itt will be firm and durable ; itt will be conveyed over to posterity. . . . Whatsoever is granted in that way, itt will have firmnesse in itt. Wee shall avoid that great objection that will lie against us that wee have gott thinges of the Parliament by force ; and wee knowe what it is to have that staine lie upon us. Thinges, though never soe good, obtain'd in that way, itt will exceedingly weaken the thinges, both to our selves and to all posteritie.' A fortnight later the conservative and law-abiding soldier was leading his troopers through London to overawe the city and parliament, and six years later he closed the house with a company of musketeers and put the key in his pocket. Conventional stupidity calls this change of front 'the intense duplicity of an ambitious adventurer,' etc. No: it is simply the necessity of a great practical statesman struggling in the whirlpool of civil war.

The present volume throws some new light on the seizure of the king on 3 June by cornet Joyce, who writes letters from Holmby of that date. Their bearing is thoroughly discussed by Mr. Firth in his long and valuable preface (pp. vii-lxxvi). Few will dispute his conclusion that Cromwell authorised Joyce to secure Charles's person, that Joyce took his orders direct from 'the lieutenant general,' but that Fairfax and Cromwell, as both asserted, did not order the abduction of the king to Newmarket, which was a *coup-de-tête* of cornet Joyce.

The army debates now revealed to us throw much light on the anxious negotiations which took place between the seizure of the king by the troopers, 3 June, and the march through London, 6 August. Evidently, the mass of the soldiers had long insisted on it—it was truly the substitution of military for parliamentary rule—but Fairfax, Cromwell, Ireton, and the other superior officers had held them back, hoping for a 'treaty,' or legal settlement by the house, until at last, as Cromwell said (p. 185) 'that wee shall bee necessitated to doe.' Unfortunately, we have almost nothing of importance between the councils of war at Reading, 16-17 July, and the march on London, after the 'Rendezvous on Hounsloe Heath,' 3 August. Then we have no further army debates until 28 and 29 October, when the head-quarters are at Putney. Naturally, whilst the army is on the march or engaged in strategic operations, the debates of the officers and 'agitators' are suspended. They are only resumed when a new course of action has to be decided on. And the present volume carries us no further than these Putney debates (28 October to 3 November), when the struggle entered on a new phase by the close incarceration of the king, 13 November, 1647.

The study of these most important and suggestive debates of the army parliament strongly confirms the view that the 21,480 men of the new model under the command of Fairfax in 1646-7 were as a body greatly superior to the parliament of Westminster, morally, intellectually, and materially, controlled the real will as well as the force of the authors of the war, and were in reality the 'representative' of the people of this country. Their debates are conducted with a gravity, a force of argument, a regularity, and an earnestness worthy of the best days of any parliament, and utterly remote from democratic extravagance as from the violence of the camp. In everything but in name and in law the army

council was the true parliament; and their grave and pregnant debates contrast well with the pedantry, fanaticism, and trifling of the presbyterian orators at Westminster. It is noticeable how little their speeches are larded with biblical tropes and outpourings of spirit. The judicious Clarke may have suppressed some 'common form' of this kind; but, as a rule, the debates turn on very practical arguments, and even the most violent of the 'sectaries' uniformly appeal to common sense and not the light of the spirit. In fact, the studied moderation, guarded utterances, and involved habits of statement make much of the debates obscure and, it must be added, tedious. And of them all Cromwell himself carries caution, qualification of every remark, and general allusiveness to the point where it becomes pain and fatigue to follow his meaning. Ireton stands out as the most vigorous debater and the most pointed orator, as he is also the theorist, the draftsman, the pen of the army. And if this born politician had lived to become the 'leader' of Cromwell's house of commons, it is conceivable that he might have been able to sway it. What is most interesting in the debates is to note the extent and depth to which new social and political theories were already developed. And it will be, no doubt, news to the general reader to find our soldiers of 1647 working out political constitutions on the basis of an original 'social contract,' which he probably imagines was invented by Rousseau in 1762. The English Commonwealth of 1649 was truly the result of a profound social revolution, and this volume serves anew to remind us what genuine public spirit and what practical genius went to the making of it.

FREDERIC HARRISON.

The Interregnum: Studies of the Commonwealth. By F. A. Inderwick, Q.C. (London: Sampson Low, Marston, Searle, and Rivington. 1891.)

MR. Inderwick's book is the latest sign of that interest in the English Commonwealth which has been awakened by the discovery that it in many respects anticipated the democratic tendencies of our own day. He abstains, as a rule, from launching out into general political history, and confines himself principally to putting together the evidence which he has gathered from various sources on the social and, above all, the legal development of the nation between the execution of the first Charles and the restoration of the second. It is true that his evidence is often fragmentary, and that it will no doubt be hereafter supplemented by other inquirers, or, best of all, by himself; but he handles that which he has before him in a manner which is distinctly helpful to those who wish to know what England was really like in those troublous days, and not what political partisans on either side represented it to be.

To take an example, the enforcement of morality by law has always played a leading part in the charge against the puritans, the stringency of the puritan system being said to lead inevitably by the law of reaction to the vice of the Restoration. Mr. Inderwick questions, apparently on good grounds, whether the act of 10 May, 1650, which made 'adultery a capital offence' and 'other acts of immorality punishable with three

months' imprisonment' (p. 33), was actually put in execution with sufficient persistence to bring about a strong reaction. He has only been able to find two cases in which the death sentence was certainly inflicted for adultery. Besides these there were three cases in the western circuit in which the charge was brought, but the result is unknown. There were also twelve cases of incontinency, but in none of these was the punishment of imprisonment inflicted; the accused, if convicted, being simply bound over to good behaviour. The records of the county of Middlesex give much the same result.

This is a fair specimen of the value of Mr. Inderwick's researches. When he sallies forth upon the ground of general history he is less conclusive. His sketch of Lilburne's character hardly runs above the level of a caricature, and merely serves to convince the reader that he has no acquaintance with Lilburne's own writings. He supposes that Sir Matthew Hale in his youth has a place in Suckling's 'Session of the Poets' (p. 214, note 1), confusing him with John Hales of Eton; and though he has Clement Walker's authority for saying that the council of war met on Christmas Day, 1648, and, being 'animated by sentiments of peace and good will, voted for a toleration of all religions' (p. 121), it is certain that the statement is untrue. Cromwell, so far from growing more tolerant as he grew older, maintained all through the years of his political influence the same attitude about toleration, namely, that it was excellent in the case of those who did not endanger the state. In 1647 he was ready to tolerate even the Roman catholics, if he could obtain a peaceful settlement under Charles, and when he talked of doing this towards the end of his life, he was not, as Mr. Inderwick thinks (p. 149), ripening new ideas in his mind, but simply found himself in a position to put in force the doctrine which he had held eleven years before.

Much more of this kind might be said; but it would be unfair as well as ungracious to carry criticism further. An author is to be estimated as he does well that which he professes to do, not as he does badly that which forms but an incidental portion of his task. On one point we may fairly ask for more information. At pp. 174, 175, we have a picture of the state of judicial destitution in which England was before the first circuits of the judges of the Commonwealth. The picture is appalling, and the reader with a turn for investigation naturally wishes to know whether the picture is true. Mr. Inderwick, however, usually profuse in references, gives not a single reference here. Is it true, for instance, that before 1649 juries had for many years been 'seldom summoned'? At all events there were no fewer than twenty-eight persons condemned to death at York on one occasion in 1648, and it is to be presumed that they were only condemned on the verdict of a jury. The pamphlets of 1647 and 1648 rake up every imaginable grievance, but, as far as my memory serves, they make no complaint of any difficulty in collecting juries. The point is of such importance that it is to be hoped that when his book comes to a second edition Mr. Inderwick will tell us more about it.

SAMUEL R. GARDINER.

The Origin and Growth of the English Constitution. By HANNIS TAYLOR.
In two parts: Part I. (London: Sampson Low, Marston, Searle, & Rivington. 1889.)

The Beginnings of American Nationality. By ALBION W. SMALL, Ph.D.
(Baltimore: Publication Agency of the Johns Hopkins University. 1890.)

The New Hampshire Federal Convention of 1788. By JOSEPH B. WALKER. (Boston: Cupples & Hurd. 1888.)

Essays in the Constitutional History of the United States, 1775-89. By Graduates and former Members of the Johns Hopkins University.
Edited by J. FRANKLIN JAMESON, Ph.D. (Boston: Houghton, Mifflin, & Co. 1889.)

Constitutional History as seen in the Development of American Law.
A course of lectures by Judge T. M. COOLEY and others. (New York: G. P. Putnam's Sons. 1889.)

THERE have been eminent American writers who have dealt with the constitution of the United States as if it were altogether an original work, 'struck off at a heat' by the fathers of the republic. Of late years historical methods have been applied to it; its origins are traced to English institutions and traditions; much light has been thrown on the long process of experiment, discussion, and controversy which preceded the establishment of a national executive at Washington. Of the books now before us the most comprehensive is that of Mr. Hannis Taylor. He founds himself, so far as I can see, entirely on the work of previous historians; his own work is original only by virtue of the care and skill with which he arranges his material so as to bring out the true relation between English and American history. His object is to show that each of the American colonies was an 'involuntary and unconscious reproduction of the English kingdom;' that when the colonies first united in a confederacy, the experiment failed, because it was a departure from the entire course of their experience; and that success was finally attained by the formation of a new 'composite state,' operating on individuals as well as states, and constituted somewhat after the English model. Mr. Taylor begins at the beginning, with the Teutonic conquest of Britain, and his first volume brings him down to the end of the fifteenth century. We may perhaps question the wisdom of giving so much space to the constitutional history of England; but on this point we must reserve our judgment until the book is completed. The instalment here presented is careful and scholarly; it may be read with profit even by those who are familiar with the works of Freeman and Stubbs.

Intercolonial co-operation begins with the New England Confederation of 1643, but the first congress of anything like national importance was that held at Philadelphia in 1774. There was as yet no desire for corporate union; but each colony felt that it required the help of its neighbours to throw off its allegiance to the crown of England and to assume the rank of a self-governing state. It is at this point that the story is taken up by Mr. Albion W. Small. He gives a careful analysis of documents relating to the congresses of 1774-75, the parties represented,

the powers of the delegates, the acts of congress, and the corresponding acts of the individual colonies. Mr. Small pleads guilty to an ambition to rescue the constitutional history of his country from the 'misinterpretations of Von Holst.' Whether he has succeeded in his enterprise or not, it is unnecessary here to attempt to decide; the value and interest of his documents are indisputable, as well as the clearness with which he discriminates two questions often confused—the question, what is the legal interpretation of the constitution on the subject of inter-state relations, and the question, what is (or was at any given moment) the will of the American people in regard to inter-state relations.

The period of what may be called imperfect federation begins with the congress of 1774, and closes at one P.M. on 21 June, 1788, when the new constitution was ratified by the New Hampshire convention. Mr. Joseph B. Walker has compiled a tolerably complete account of this convention; his little book consists for the most part of personal and local notes, but it helps us to realise what the state of the country was, and to appreciate the difficulties encountered in establishing the new federal authority. New Hampshire, even in 1788, had grave doubts as to the wisdom of accepting a constitution which permitted the existence of slavery. The leader of the anti-slavery party was Joshua Atherton, whose grandson made himself a name, in a later stage of the movement for abolition, as the inventor of that very questionable compromise known as the 'Atherton gag.' We note that Colonel Ebenezer Webster, father of Daniel Webster, represented Salisbury in the convention. He wished to vote for the constitution; he thought that it offered many advantages over the confederacy, and that Washington might be trusted to see that it was honestly worked. But the advisory committee appointed by the citizens of Salisbury took a strong line on the slavery question, and Colonel Webster thought it best not to vote in the final division. Atherton was closed, and the motion of the party of ratification was carried by 57 votes to 47.

The transition from a treaty of states to a national constitution was opposed at every step by the adherents of the old system: of this many proofs are furnished in the volume of essays edited by Dr. Franklin Jameson. The editor himself has shown how the appellate committee of congress, appointed to deal with cases of maritime capture, was modelled on the court of the lords commissioners, who were virtually an appellate committee of the English privy council; and how the committee of congress was developed into a permanent tribunal, which may be regarded as the lineal predecessor of the supreme court of the United States. Even the supreme court, when it came into being, was met with resistance by the state-rights party; so late as 1809, Pennsylvania called out her militia to protect an unsuccessful litigant against the service of process. Among the opponents of the constitution in 1788 were counted such men as Patrick Henry, Clinton, and Luther Martin of Maryland; the name of Jefferson was quoted against it; and there was a formidable movement for a second convention to reconsider its provisions. This movement forms the subject of an essay contributed to Dr. Jameson's volume by Mr. E. P. Smith. Mr. Guggenheimer deals with the development of the executive departments at Washington. In America, as in England, the

departments were organised under the superintendence of boards or committees; in both countries the system of boards has been superseded by a system which places each department under a single minister. British ministers are, however, the servants of the house of commons; the American executive was separated as far as possible from congress, and ministers became merely the assistants and subordinates of the president. One result of the jealousy of the states was, that the national executive was started on a very humble scale; when Jay became secretary of state he had only two clerks. For the condition of society, especially in the south, during this formative period, reference may be made to Mr. Trent's essay on the American churches, and to Dr. R. Brackett's account of the status of the slave during the years 1775-89.

It may be suggested that there is one point where American practice has diverged widely from English tradition. In England the legislature is, as lawyers say, omnipotent; no court can set aside an act of parliament. In America all legislative bodies exercise limited powers, and the courts may set aside an act of congress if it exceeds the powers given by the written constitution. Tocqueville, in a well-known passage, has described the power vested in the American courts as one of the most effective barriers ever devised against the tyranny of political assemblies. But the word 'devised' is not strictly appropriate; the authority of the courts was not conferred upon them by the mere act of those who framed the constitution; it grew up out of the necessities of colonial government. So early as 1780, the right of pronouncing on the constitutionality of laws was claimed by the judges in New Jersey; and in 1786 certain of the judges in Rhode Island were put on their trial for making a similar claim. The arguments in these cases are not reported; but if English precedents were referred to, there can be little doubt that the judges would distinguish between the omnipotence of the English parliament and the necessarily limited authority of a colonial assembly. When the constitution of the United States was drawn up, the federalists could not claim, and did not wish to claim, unlimited authority for the federal legislature; congress retained the character impressed on the state legislatures by their colonial origin.

It follows from what has been said of the federal and state courts, that constitutional law occupies a more important or at least a more conspicuous place in the legal system of the United States than in that of England. The development of American constitutional law is ably described in the course of lectures delivered by eminent lawyers before the Political Science Association of the University of Michigan. Judge Cooley contributes an introductory lecture on the supreme court; the periods during which that court was presided over by Marshall and Taney are assigned to Dr. Hitchcock and Dr. G. W. Biddle; and the period since 1865 to Mr. Charles A. Kent. Dr. Daniel H. Chamberlain deals with the state judiciary, and the introduction is from the pen of Professor H. W. Rogers. As might be expected, the lectures are of various degrees of merit, but they are all worth reading. The volume which contains them should find a place in every legal and historical library.

T. RALEIGH,

The Genesis of the United States. A series of Historical Manuscripts now first printed. By ALEXANDER BROWN. Two volumes. (London: Heineman. 1890.)

MR. BROWN'S is undoubtedly a very handsome book, and to the student of one special period of colonial history a very interesting book. Yet one cannot quite avoid asking the rather thankless question: for what class of readers and for what purpose was the book intended?

Mr. Brown has made a careful collection of unpublished manuscripts and rare pamphlets, bearing on the colonisation of Virginia, between the first project for a corporate scheme of colonisation in 1605 and the settlement of the colony under Sir Thomas Dale in 1614. He has also added references to the better known tracts and pamphlets already published. His two volumes are, in fact, a complete bibliography of Virginian history; or one should perhaps rather say of the history of the Virginia Company during those ten years. To this Mr. Brown has added a hundred portraits of persons connected, some very remotely, with the Virginia Company, with accompanying biographical sketches. It is a little difficult to see the connexion between the two portions of the book. If it is meant as a real working help to a student engaged on Virginian history, what one may call the ornamental part of the book seems out of place. It distends it to dimensions somewhat out of keeping with its historical value. Two solid quarto volumes devoted to the history of a single colony for ten years is a large allowance. However, both parts of the book are good in themselves. The portraits are good and singularly well reproduced, and much of the material newly brought to light is of great historical interest.

The chief service which Mr. Brown has rendered to American history is in obtaining translations of a number of documents from the archives at Simancas, many of them written in cipher, showing how the Spanish court regarded the scheme of Virginian colonisation. How the English settlement might be frustrated without an open breach with the English court, is the ever-recurring burden of these letters. Fortunately, those who were responsible for the management of the company were quite alive to the danger. Whatever knowledge the Spaniards had of the actual condition and resources of the colony was gained by stealth. A letter from the Spanish ambassador Zuñiga to Philip III, written in the spring of 1609, shows, what is confirmed by other letters, that the main source of danger was the existence in England of Roman Catholics who sympathised with Spain. Zuñiga tells his master that Lord Arundell of Wardour is willing to make a voyage to Virginia, and to pick up on the way a Spaniard at the Canaries or Porto Rico, who should get all the information needful for displacing the colonists. The whole tone of the letter shows that it was for no lack of will on the part of the Spanish government that Smith and his associates did not share the fate of Ribault and his brother Huguenots in Florida.

Later documents in Mr. Brown's book show how a plot not unlike that designed by Zuñiga and Lord Arundell was actually carried out. In the summer of 1611 a Spanish ship piloted by an English renegade named Lymbry touched at Jamestown. The commander, with Lymbry

and another, went on shore to reconnoitre, and the three were captured. An English pilot was then sent off to bring the Spanish ship into harbour. The master, however, distrusted the English and kept the pilot as a hostage. Some ineffectual proposals were made by the captain from a boat to the English on shore for an exchange of prisoners, but nothing was arranged. Finally the Spanish ship sailed off with the English pilot on board her, while Lymbry and the two Spaniards remained prisoners at Jamestown. There they stayed as prisoners for three years. Letters written by Molina during his captivity are included in Mr. Brown's collection. In one the writer inveighs against the unchristian conduct of his captors. They intended, they told him, to make Lymbry drunk, if other means of getting information from him failed, in the hope that he would reveal the secrets of his masters. At length Molina was brought back to England in the same vessel as Pocahontas and her husband. Lymbry, one is glad to know, got his deserts at last, and was hanged on the voyage.

It would have been interesting if Mr. Brown had followed his investigations into the Spanish archives a few years further. We might then have known what grounds there were for the current suspicions that the policy of James towards the Virginia Company was dictated to him by the Spanish ambassador, Gondomar. On this subject Mr. Brown (p. 245) says: 'It was the constant dread of the Spanish government that King James would take the enterprise openly under the protection of the crown, and yet when he did so we have been told that it was done specially to please Spain.' To argue thus is to overlook the great change which events had made between 1609 and 1620. At the outset it might well seem that the approval and support of the king were conditions needful to the success of the colony. But by 1620 it was manifest that the colony could thrive without them. The alternative then lay, not as before between a colony supported by the king and no colony at all, but between a colony supported by a patriotic and independent corporation and one administered in subservience to the policy of Spain.

All the questions which concern Smith and Pocahontas have been thrashed out too thoroughly to leave Mr. Brown the opportunity of contributing much that is new. He does however notice one point of some little importance. According to Strachey, a good contemporary authority, Pocahontas in 1610 married an Indian chief named Kocoum. Strachey also says that the name Pocahontas means 'a little wanton.' It is therefore, as he points out, not unlikely that it was a nickname applied to more than one of Pocahontas' daughters, and the wife of Kocoum was a different person from the well-known Pocahontas. Mr. Brown seems also to think that the identity of the Pocahontas who befriended Smith with the Pocahontas who married Rolfe is not certain. It is true that Smith, writing in 1600, said that Pocahontas was then ten years old, whereas there is authentic evidence that the Pocahontas who married Rolfe in 1614 was then nineteen. But Smith in 1608 might have been ill-informed or might have regarded the matter as unimportant. There is no doubt that Smith, when he wrote in 1624, intended his readers to believe that the Pocahontas of his story of 1608 was the Pocahontas who married Rolfe and came to

England. It would be a strange coincidence if the identity of name had furnished him with the opportunity for thus deceiving his readers.

In dealing with the general question of Smith's character Mr. Brown takes the unfavourable view. No one can doubt that Mr. Brown is right in treating the history of 1624 as a vainglorious romance. But I think that he underrates the service done to the colony by Smith in 1608. If his own account of his doings in that year was substantially untrue, his enemies, and he did not want them, would in all likelihood have exposed his falsehood. On the other hand we have an independent and unfriendly witness, whose testimony as far as it goes distinctly confirms Smith. Wingfield, the first president, was bitterly hostile to Smith. Yet he in his 'Discourse of Virginia' says, 'the councillors, Mr. Smyth especially, traded up and down the river with the Indians for corn, which relieved the colony well.' He also gives a short account of Smith's journey into Powhatan's country which, as far as it goes, tallies with Smith's contemporary story. Smith no doubt discredited himself at a later day by the romance which he or hack writers using his name put forth. But if he had disappeared from Virginian history altogether in 1609 he would probably be remembered as one who did good service to the colony in a trying time, and who then blew his own trumpet in a somewhat boastful and aggressive fashion.

J. A. DOYLE.

Johns Hopkins University Studies in Historical and Political Science.

HERBERT B. ADAMS, Editor. Ninth Series. I-II. *Government and Administration of the United States*, by WESTEL W. WILLOUGHBY and WILLIAM F. WILLOUGHBY. (Baltimore: The Johns Hopkins Press. 1891.)

'THESE chapters were originally prepared for, and used as a manual in, the public schools of the district of Columbia. In a revised and simplified form they are now published as one of "Johns Hopkins University Studies in History and Politics." The aim of this revision is to furnish assistance to students beginning the study of the history and practical workings of our political institutions.' The plan of the work is excellent. It is not a mere exposition of the written constitution, but an account of the federal institutions as they are actually worked at the present day. In accordance with their purpose, the authors have devoted a chapter to 'Political Parties in the United States,' short but clear and impartial. The description of the government and its various departments is preceded by a brief historical sketch of the transition from colonial dependence to the adoption of the constitution of 1787; and this again is preceded by some remarks about government in general. At the end of the treatise are some useful bibliographical notes.

The execution of the work is, however, by no means so good as the plan of it. After an account of the way in which senators are elected it is rather misleading to say simply that 'vacancies among representatives to Congress are filled in a similar manner' (p. 40). It is careless to use 'Congress' for the house of representatives, in such a context; and 'similar' is more false than true. The student with a taste for elementary arithmetic will be puzzled by reading: 'The proportion of people in the

United States who reside in cities is increasing. . . . In 1790, 33 per cent. of the total population lived in cities of over 8,000 inhabitants, while to-day over 25 per cent. live in cities of this size or over' (p. 92). It is neither good logic nor good history to limit the term 'Republic' to *representative democracies* (pp. 14, 90). 'Slavocracy' (p. 133) is a vile word, and is the less to be excused because it is meant to mean 'slave-holders.' In the bibliography, among general works on government is named Thomas Aquinas' 'Of the Government of Principles,' a treatise unknown in the old world. If carefully corrected, the book would make a very excellent school-book; but does it deserve a place among the many valuable 'Studies' published by the Johns Hopkins University?

D. G. RITCHIE.

Sir Robert Peel in Early Life, 1788-1812; as Irish Secretary, 1812-1818; and as Secretary of State, 1822-1827. From his Private Correspondence. Published by the Trustees of his Papers, Viscount Hardinge and the Right Hon. Arthur Wellesley Peel, Speaker of the House of Commons. Edited by CHARLES STUART PARKER, M.P., late Fellow of University College, Oxford. (London: John Murray. 1891.)

OUR knowledge of Sir Robert Peel is rapidly extending. The publication of the Greville Memoirs and the Croker correspondence added largely to our acquaintance with the minister. During the last few months three short biographies—among which Mr. Thursfield's little book may be cited as an excellent example of a short memoir—have made the minister's character and achievements familiar to thousands of readers; while, finally, Mr. Parker's carefully edited volume—though only an instalment of his work—has given us Sir Robert's correspondence during the first half of his public career. If in literature, as in other things, the supply is determined by the demand, we have strong evidence of a general desire to know more about the man who will probably be recollected as the greatest parliamentary statesman of the present century.

Sir Robert Peel was descended from men who were excellent examples of worth and industry. His grandfather, Robert, 'a tall, robust, handsome man, of excellent constitution, with a character for uprightness and persevering industry, and possessing a mechanical genius,' employed 'his talents in improving the cotton trade.' His father, another Robert, 'a man of strong will and untiring energy,' had the wisdom to appreciate, and the spirit to apply to his business the great improvements or inventions originated by Hargreaves and Arkwright. The minister himself was born on 5 Feb. 1788. As the boy grew, 'he set to work seriously on the manufacture of another Pitt.' The effort would have been useless if it had not been for the excellent abilities which Peel inherited from both his parents. At Harrow, where the boy was educated, he 'asserted and maintained his superiority as a scholar.' At Oxford, he distinguished himself by winning, for the first time in the history of the university, the highest honours in both 'schools;' and, in the following year, when he had just completed his twenty-first year, he was brought into parliament as member for Cashel, the seat being

bought by his father for the purpose. He was selected by Perceval, who was then prime minister, to second the address in 1810; he was made under-secretary for the colonies in the same year; and, on the reconstruction of the ministry under Liverpool in 1812, was promoted to the chief secretaryship of Ireland. Irish affairs, then, as ever, difficult and troublesome, form the chief subject discussed in Mr. Parker's volume.

During the six years in which Peel remained in Ireland the duke of Richmond, Lord Whitworth, and Lord Talbot successively held the post of viceroy. Their opinions were almost always in accord with those of their chief secretary. But their views were of minor importance. As Mr. Parker puts it, 'Successive Lords Lieutenant reigned: Mr. Peel governed.'

Ireland, then as always, was the seat of unbounded corruption. The general election of 1812 gave rise to fresh opportunities for abuses. Lord — (Mr. Parker suppresses the names of delinquents) 'has made as yet no arrangements for the return for —. His object is an English peerage.' Peel, after consulting Lord Liverpool, declined to purchase the borough by any such arrangement; and Lord — thereupon expressed his willingness to take the chance of the peerage and give us the return for the borough. Peel again firmly resisted a proposal 'which, while it professes to make no positive engagement, makes a virtual one; and Lord — was left to dispose of his borough as he chose. But Lord — was only one of the numerous suitors who pestered the Irish office. Croker, at the general election, was a candidate for Down. He professed 'the greatest repugnance to bribery;' but his return 'absolutely depended' upon pounds sterling. In addition to the natural, *i.e.* the legitimate expenses of 500*l.*, he required a sum of 2,000*l.* for votes, and this sum he expected from government. Peel refused an application which he had apparently no means of satisfying. But when the election was over Croker importunately and successfully pressed on the minister the claims of his 'martyrs,' as he called the electors who voted for him. One of them, Mr. M—, received a messenger's place worth 60*l.* a year; another, Mr. F—, an office of 600*l.* a year in the customs; and Croker immediately applied for a tidewaiter's place for a third. Mr. Jennings, in editing the Croker papers, preserved a discreet silence about these remarkable applications. But Croker, after all, was only one of the importunate suitors. Fourteen years afterwards, when he was himself home secretary, Peel wrote to Goulburn, who then held the Irish office: 'I approve of every word which you wrote to —. I found in Ireland that every official man, not content with the favour of Government to himself, thought he had a right to quarter his family on the patronage of Government.' Nor were these gross abuses confined to official men. 'When Lord — was here as an aide-de-camp, so Peel wrote in 1814, he lodged at the house of a Mr. D—, a shoemaker. Mrs. D— had a son, who, by some accident or other, bore a much stronger resemblance to Lord — than to Mr. D—,' and so, to cut the story short, Lord — applied 'for some situation of about 200*l.* a year, with a reasonable hope of further advancement,' for this young man. Peers, patrons, and politicians all thought that they had a claim on the patronage and on the

bounty of the Irish government for themselves, their families, and their natural children.

An administration conducted on principles of corruption must have been eminently distasteful to a statesman of Peel's temperament. Though he could not escape from a vicious system, he evidently set his face against the gross abuse of patronage. He also endeavoured to correct the frauds which permeated the whole machinery of government. 'The more my attention is turned to the barrack department, the more I am satisfied that a radical inquiry is necessary.' The grand jury of Cork 'have laboured in defence of as notorious a job as ever graced the annals of Irish history. Mr. N—— has derived emoluments in consequence of the violation of an express order of the Treasury by his deputy, of which he must have been cognisant.' These are only samples of the numerous abuses with which Peel was confronted, and which he honestly endeavoured to remedy. It was no time for leniency towards offenders. And, in one instance, 'when the culprit's patron (a peer) and the department concerned joined in recommending him to mercy, on the weak ground that a deficit [in the offender's accounts] was principally occasioned by the improper conduct of one of his own family,' Peel insisted on dismissing the defaulter, adding, with much point, 'I believe it was the king of Prussia who flogged a man whose hat was really blown off in a high wind. It was not the man's fault, but the effect of the flogging was that his comrades secured their hats against the wind, and none were blown off.' Defaulting accountants—Peel evidently thought—would be more rare if defaults, however occasioned, were rigorously punished.

It is still more creditable to Peel that, throughout his tenure of the chief secretaryship, he steadily endeavoured to preserve order by the ordinary law, without resorting to exceptional legislation. In 1813, notwithstanding the 'lamentations of that grand alarmist Lord Castlemaine, and the magistrates of his neighbourhood,' he refused to re-enact the Insurrection Act which had expired in 1810. In 1814, he so far yielded to the clamour of those around him as to ask Parliament to strengthen the Irish government with the powers which that measure conferred on it. But he held these in reserve; and, in 1815, when Ireland was stripped of troops for the purposes of the campaign in the Netherlands, and reports of plots and conspiracies were brought daily before him, he declined to regard the situation 'through the distorted magnifier with which most of our country correspondents are apt to view it,' declaring emphatically that 'we ought to have been impeached if we had enforced the Insurrection Act upon such grounds as those on which the magistrates of Westmeath and Meath desired it.' He gave a still greater instance of moral courage in 1817. In that unhappy year, when the Habeas Corpus Act was suspended in England, and general distress prevailed throughout Ireland, he was able to announce in parliament that he required no severe measures, and that he was prepared to reduce the military force.

Unhappily, if Peel's administration of the Irish office deserves nothing but praise, his efforts in parliament were not always equally fortunate. In the first years of the peace some prospect was afforded of terminating the chief Irish grievance by a rational settlement of the Roman catholic

question; and Peel, opposing himself to Castlereagh and Canning, became the chief spokesman of the protestant party. At the time his policy was received with shouts of approval. Letters and addresses of congratulation flowed in on the young statesman who had 'so ably and so faithfully' supported the constitution in church and state. The 'protestant' corporation of Dublin asked for his portrait; and the 'protestant' university of Oxford chose him as its representative. Yet, at the moment at which the protestant party was rejoicing at the strength of a new champion, Peel, unconsciously standing at the parting of the ways, was about to move on a new path to a very different goal.

In 1818 Peel resigned his office of chief secretary. The reasons for his resignation have never been explained; and except that we now see that he had long been weary of his office, and that he differed from the other members of the administration on some minor economical questions, there is nothing in Mr. Parker's pages to account for it. Perhaps, indeed, there is more room for surprise that he consented to discharge distasteful duties for six years than that he abruptly retired from them in 1818. But, though his own conduct may thus be accounted for, it is difficult to understand why Lord Liverpool did not, at once, open to him some more suitable situation in the ministry. With the exception of Wellington, Castlereagh, and Canning, no one in the administration had rendered greater services or had displayed greater promise. It appears from some letters in the Croker correspondence, which Mr. Parker has not quoted, that Mr. Croker's friends were anxious that Peel should take the chancellorship of the exchequer, and that many of them were actually contemplating his succession to the prime ministership. Peel replied, in an amusing letter, 'Fudge! I am thinking of anything but office, and am just as anxious to be emancipated from office as the papists are to be emancipated into it.' But, of course, he could not without losing self-respect use other language in writing to Croker. If it had been really desired to succeed to the chancellorship of the exchequer in 1818, he had a right to expect that the wish should be communicated to him by the prime minister, and not by the secretary to the admiralty; and, while Liverpool remained silent, he could not avow a desire for promotion to a colleague who did not even hold cabinet rank. And, though his omission to do so seems inexplicable, Liverpool made no effort to open any really suitable situation to Peel for more than two years. The 'arch-mediocrity' perhaps preferred the assistance of mediocrity. In 1820, on the resignation of Canning, he offered Peel the presidency of the board of control which Peel declined. In 1821, on the partial reconstruction of the cabinet, he entrusted him with the seals of the Home Office.

But, though the minister found no suitable office for Peel in 1818, he gave him work to do which had the greatest influence on his career. He made him chairman of the currency committee. The appointment was universally approved by the tory party. The country gentlemen, who had discovered that an inconvertible currency kept up their rents, had no desire to return to cash payments; and they had reason to expect that the chairman of the currency committee would share their desire. Peel's father was known as a strong advocate of paper money; Peel himself had

voted in favour of it in 1811; and it was perhaps natural that they should assume that he would support in his report in 1819 the policy which he had supported by his vote in 1811. They omitted to notice that Peel in 1811 had merely voted with his party on a subject to which he had paid no attention, and that in 1819 he was compelled to form his own opinion on it. He entered 'upon the consideration of it with a perfectly unprejudiced mind;' and naturally took up Horner's famous report of 1810. He 'read it with the utmost attention, with the same attention with which I would read the proof of a proposition in mathematics. I can find no defect in the argument.' In these circumstances he took the course which any honest man would have taken. He set himself to ascertain how it was possible to return to cash payments with the minimum of inconvenience; and, in consequence, prepared the way for the immediate passage of the act which established gold as the sole basis of value.

It was Peel's fortune in the course of his subsequent career to be responsible for three other great reforms—the introduction of a rational criminal code, the emancipation of the Roman catholics, and the triumph of free trade—in each of which it was his lot to give effect to doctrines radically opposed to the conclusions which he had previously supported either by his voice or his vote. But on each of these occasions he was influenced by the same considerations which induced him to adopt Mr. Horner's currency principles. On examining the subject with 'a perfectly unprejudiced mind,' he found that his previous opinions were unsound, or—in the case of Roman catholic emancipation—were untenable, and at once determined that no false desire for maintaining a reputation for consistency, or for loyalty to his party, should deter him from doing his duty. Posterity is not likely to conclude that he was wrong. The only questions which different men will decide differently are, whether he should have adopted at the commencement of his career opinions which he was forced to abandon one after another before its close; and whether he should have himself been the agent for accomplishing reforms which he had a short interval before pledged himself to resist. On the first of these questions judgment will probably be unanimously given in Peel's favour. Few public men ever pass a long career without modifying the opinions which they profess at the beginning of it. But Peel has the exceptional merit that all his changes were in the same direction. He was moving throughout his career from toryism to liberalism. Born a tory he gradually developed into a liberal by conviction. No doubt it would have been better for his reputation, and would ultimately have been better for his party, if he had found leisure to test the principles which he inherited, before he entered parliament in 1809. But such leisure was denied to him. Absorbed in the studies which won him distinction at Harrow and Oxford, he could not have found time to examine beforehand the great questions which were to absorb his attention afterwards. He was compelled to approach them, as he approached the currency question in 1819, with 'a perfectly unprejudiced,' in other words, an entirely uninstructed mind; and he found, on examining them, that the principles which he had inherited were wrong, and the principles which he had opposed were right. There are, no doubt, many advan-

tages in young men entering on a political career when they are fresh from the university. But the example of Peel ought to remind us that such men cannot be expected to have mature opinions at the outset. They must form their true opinions as their political knowledge increases later on.

It is much more doubtful whether Peel, either in 1828 or in 1845, should have been the agent for accomplishing the reforms which he was instrumental in carrying in 1829 and 1846. It would certainly have been better for his own reputation if, on each occasion, he had retired from office, and had left the duty to other men. Mr. Parker's volume, which concludes in 1827, does not justify us in entering into this matter; but it ought completely to dispose of the charge, first made by Lord G. Bentinck in 1846 and subsequently repeated by Mr. Disraeli, that Peel had behaved dishonourably in retiring in 1827. It is quite clear from the correspondence which Mr. Parker publishes, that Peel's sole reason for retiring from Canning's government was his difference from the new prime minister on the Roman catholic question; that his own determination to resist the emancipation of the Roman catholics was still unchanged; that Canning both understood and appreciated his reasons; that the two men parted on the best of terms; and that their intercourse was marked 'by cordiality and good-will' till the very last days of Canning's life. Untrue charges, once made, have a strange tendency to survive. But Peel's character, henceforth, ought to be clear of any imputation of base or dishonourable conduct towards Canning.

The other questions raised by Peel's career will be considered more properly on the appearance of Mr. Parker's later volumes. Most readers will look forward to their publication with impatience. Mr. Parker has already done so much to make Peel's earlier career intelligible, and has done it so well, that the continuation of his work ought to form a very valuable contribution to political history.

S. WALPOLE.

Historia del Ampurdán. By D. JOSÉ PELLA Y FORGAS. (Barcelona: Tasso y Serra. 1883-1889.)

THOSE who have seen for themselves the Belfast and the Ulster of Spain cannot have failed to be struck by the extraordinary contrast that the Catalan province with its busy capital presents to the rest of that lethargic land. The rapid growth of Barcelona and the eager activity of its people are well reflected in the intellectual movement and the remarkable political tendencies of which it has become the centre. Keen, restless, proud of themselves, patriotic with the patriotism of an ancient Greek rather than of modern life, this interesting race hails in Barcelona the *patria común de todos los Catalanes*, and is led by its increasing prosperity to accentuate more strongly than ever the individual life of the province and its claims to an independent status. Thus of the two conflicting tendencies now at work in national development, the tendency towards centralisation and homogeneity of existence, and the tendency to strengthen racial distinctions, and even to revive them when half for-

gotten, Barcelona has thrown itself heart and soul on the side of the latter movement, and sees in a closer dependence on Madrid a tightening of the bonds which unite it to a corpse. This feeling finds its organ in the local review, *La España Regional*, which advocates the principle of decentralisation and the maintenance, as in the case of the Basque language, of local peculiarities, customs, and institutions in the widely differing provinces which compose the Spanish realm. It is as an exponent of the same feeling, and as an outcome of *el catalanismo*, that the work before us has claims to more than local notice.

But it also deserves consideration on the ground that it is perhaps the most notable and typical production of the new historical school that has arisen in Spain; in that capacity its successive 'volumes' have attracted attention not only in Spain, but also in Italy and France. Now that the character of the French school—largely under the influence of the *École des Chartes*—has been so greatly changed, and its brilliant generalisations replaced by minute research, the Spaniards seem ready to take its place, and to approach the study of history from the standpoint most congenial to the Latin race. As if eager to convince the world that Spain is abreast of modern thought, they insist that history is a science, and love to trace the working of its laws, and to generalise the results they obtain. D. José is almost nervously anxious to remind us that this is his attitude: he gives to his work the sub-title of 'A study of civilisation' in north-east Catalonia, and treats his subject throughout as one of historical dynamics. The history and development of Catalonia are for him the resultant, on the one hand, of its physical *milieu*, that is, of its geographical environment, on the other, of successive invasions and immigrations, from north and south, from east and west—all acting on an original stock to whose qualities and *provenance* he devotes elaborate study. It is perhaps unfortunate that he should have taken for his sphere a district which, lying at the gate of Spain, was, from the very first, one of the 'cockpits' of Europe, and in which successive waves of invasion must make it peculiarly difficult to trace a continuous or instructive development of the body politic. To study history apart from its 'accidents' is a bold enterprise in the case of a land which has been the scene of 'accidents' so eventful and so disturbing to historic laws.

The author stands on surer ground when he assigns to these 'accidents' a secondary place on the plea *que la historia debe ser la del pueblo*. Here he follows in the footsteps of Green, though taking for his avowed model Macaulay. Eschewing with the former 'drums and trumpets,' he claims with the latter that history may be made so attractive as to be read for pleasure by women and even by children. To attain this end he spares no pains to render his narrative picturesque without sacrifice of accuracy or even of the principles of his school. With Macaulay he has, we think, one point in common: he has attained, by unsparing industry an absolute mastery of his subject, one of the most essential requisites for the successful composition of history. Personally familiar with every spot of which he writes, he has sought his materials not merely in books and records, but in the peasant's cottage, and in the shepherd's hut: he has conducted his own excavations, made his own sketches, taken his own measurements, and even, like a French novelist, treated as human docu-

ments the men and women whom he met and studied. Such thoroughness as this is no less original than refreshing. Ethnology, archæology, folklore, custom, anthropology, dialect, numismatics—every possible source of information is eagerly pressed into the service. Professor Max Müller may be glad to hear that D. José detects in a popular legend an elaborate solar myth, while Mr. Lang may be equally pleased to learn that he recognises in the grosser features of Greek mythology the influence of primitive belief. As there are those among ourselves who are somewhat rash in detecting traces of 'archaic custom, so, perhaps, D. José's conclusions must at times be cautiously accepted, as, for instance, when he trusts so largely to the dance of the Catalans—'La Sardana'—for evidence of their Sardinian origin. In the case of a maritime people, as they were, it is difficult to prove that anything of the kind was not introduced rather than indigenous.

The origin of the Catalans in a Sardinian race, allied to the Etruscans, is one of the author's main contentions. On these settlers he superimposes successive layers of invaders, Indo-European, Iberian, Ligurian, and Gallic. It was, he holds, under the Gauls, that the Greeks of Marseilles (circa 460–450 B.C.) established what our merchant adventurers would have termed a 'factory' in the district under the name of 'Εμπορίον, which, through its native equivalent, Ampuria, was the origin of 'Ampurdán.' The author traces the fate of the Greek colony, the arrival of the Carthaginians under Hannibal, and the subsequent establishment of the Roman dominion. The Goths, after long resistance, became masters of the land, only to be expelled by the Moors in 711. Here the author makes a new point by showing that the fugitives took refuge, not so much in the Pyrenean valleys as in the broad district of Septimania, whence, before the end of the century, they returned to reconquer the land. It was in the course of the struggle which followed that the feudal system was here established, first under the Frank emperors, and then under the local counts, when the latter became independent. From this point the author traces the gradual growth of liberty in the towns (which differ among themselves in origin and type), while the rural population remained in a condition parallel to that of our own villeins. Eventually, of course, the district lost its individual existence in the kingdom of Aragon, and it now forms a part of the province of Gerona.

It is impossible to touch in a brief notice on the many subjects dealt with by the author, whose learning is equal to his industry, but we must give a word of praise to the exquisite illustrations and fine get-up of the work, which is published at a price far below that which would be possible in England. It is a book, as Professor Sabatini has said, *che farà onore alla Spagna*, and we would express to the author, in his own Catalan, the wish that so able a production *tinga tot l'èxit que's mereix*. But will he forgive us for saying that his discovery of a *base ètnica propia* for the Catalan 'nation' in its possession of a *cráneo sardo* might give a valuable suggestion nearer home? Is there no patriotic antiquary in Wales who will establish its claims to self-government on the base of a national skull?

J. H. ROUND.

Modern Customs and Ancient Laws of Russia, being the Ilchester Lectures for 1889-90. By MAXIME KOVALEVSKY. (London: David Nutt. 1891.)

THIS is the first work written by a Russian in English for Englishmen on the institutions of his country. Its author, Professor Kovalevsky, has for some years devoted himself especially to the study of archaic and customary law. Of the six lectures published in the present volume the first treats of the matrimonial customs and usages of the Russian people, and the light they throw on the evolution of marriage. Taking us back to the period of the Matriarchate, our author, describing the customs of the various Slav tribes in the earliest times, according to the chronicle of Nestor, says that the survival of the licentious customs of the Drevlians, Radimitch, Viatitch, and Severians may be traced in the immorality of the peasants of the present day. The independence enjoyed by the Slavonic women of ancient times continues to be a marked characteristic of the sex in Russia. The French writer Beauplan in the latter half of the seventeenth century observed that marriage by capture prevailed among the Cossacks of Little Russia and the Ukraine, and the ceremonies and wedding songs of Great Russia still perpetuate the idea of force being used to defend the bride. Among the milder-mannered Polians the bridegroom always preferred to pay, and this custom became general among all the Slavs, the *veno* or *pretium nuptiale* passing ultimately into the *dos* or dowry. But even now the principle of the law of Great Russia is that husband and wife should each have distinct property with sole control over it. In his second lecture M. Kovalevsky calls our attention to the fact that the peasantry very generally regard marriage not as a religious ceremony but as a civil contract, and adds that in the south and south-west, among the Cossacks of the Don as well as among Little Russians, the religious consecration of marriage is still considered a superfluous ceremony.

Regarding the organisation into households, a peculiar form of the 'joint family' or 'house community,' differing only in detail from that of Western Europe, evidence is brought to show that the hearth was the unit of taxation in Northern Russia in the sixteenth and seventeenth centuries. The terms in which this undivided household is referred to in old documents leave no doubt of its high antiquity. An examination of his institution brings to light some very remarkable peculiarities. While the authority of the house elder (*bolshak*) differs from that of the Roman paterfamilias, it approaches closely to that of the *domachin* of the Servian *zadruga*. The house elder in Russia is in fact only *primus inter pares*, the grown-up members of the family constituting a family council. The Russian peasant, relying on his *mir* or commune, has certainly developed some admirable qualities, and he has none of that pushing, unscrupulous egotism, so marked a feature of the individualism of England and America. The Russian of to-day is, however, not insensible to the advantages of individualism. Between two and three million divisions of house communities have been effected since the abolition of serfdom in 1861 when he first obtained the right to make them, and the total disappearance of the house community in Russia is probably only a question of time.

In his third lecture M. Kovalevsky discusses the past and present of

the Russian village community. This institution has afforded a fruitful source of controversy, some writers having seen in it a peculiar development of purely Slavonic origin; others, among whom are M. Fustel de Coulanges and his followers, have insisted on its being an artificial system introduced by the government to facilitate their collection of taxes. A comparison, however, between the modern constitution of the *mir* and that described in the old charters, supports the theory of continuity. So too does the study of the various forms of *mir* in several parts of the empire where its character has been affected by local circumstances. Take, for instance, Northern Russia, where agrarian communism of a limited kind has existed from the first, or the south-western provinces, comprising the fertile steppes on the Dnieper, where it went further, or, lastly, the territory of the Don Cossacks, where redistributions of land were very frequent and the system known as the 'run-rig' tenure made its first appearance. All these, however, had one thing in common, that serfdom was almost unknown—the peasants of Archangel were owners of the soil, the Little Russians knew of no social distinctions, and the Cossacks of the Don were free. The old Russian village community, says M. Kovalevsky, appears very like that of medieval England with its system of open fields, its hides and virgates. The principle of equal division of the land, and the system of periodical allotments, to secure this equality, were of later introduction, the result of the increase of population, followed by the introduction of serfdom at the end of the sixteenth century, the imposition of a capitation tax by Peter the Great, and mutual responsibility for payment of taxation.

The fourth lecture, perhaps the most interesting of the series, treats of the Russian folkmoets, an ancient institution in direct contradiction to the absolutism of modern Russia. Their *vêches* or popular assemblies were convened to decide on all important questions, and were in fact the supreme council of the nation.

The *vêche* of the early days of Russian history was a tribal assembly very like those found by Caesar and Tacitus among the Germans. With the end of the eleventh century Russian folkmoets acquired a new character, when the chief cities of Russia, the political centres of more or less independent states, obtained their separate assemblies, essentially democratic and composed of the heads of families. Thus we read that 'the men of Kiev, in folkmoet assembled, declared in 1147 that they would fight against the House of Oleg' not by themselves alone but also by their children. The minor towns (*sloboda*), growing in course of time round the fortresses, originally built as a protection, also had their *vêches*, and these as a general rule supported the decision of the metropolis. The ruler had to subscribe a charter of rights, and these covenants between prince and people were known all over Russia. This was the political organisation prevalent during the middle ages when Russia was a loose federation of principalities. By the end of the fifteenth century the folkmoets had ceased to exist in Moscow and Vladimir, political power having passed out of the hands of the people. With the fall of Novgorod under the Tsar Ivan III autocracy became an accomplished fact, a change largely due to the Tartar conquest, and in a less degree to the rise of the Florentine Union and the capture of Constantinople by the Turks. So long as the Russian state and church were dependent on the Greek patriarch at

Constantinople the 'Tsar of the Greeks' was paramount and no Russian prince was allowed to call himself tsar. This dependence ceased when Basileus (Vassili) III boldly refused a compromise with the Roman church and adopted a firm attitude towards the Florentine Union. Yet absolute as were the powers of the Tsar as head of church and state, some limits were placed on these even in the time of Ivan IV the Terrible. The Dúma, or council of notables, the Zemskii Sobóri, or 'Men of the people,' advised on all kinds of political, executive, military, and financial questions. These councils are reviewed more fully in the fifth lecture. In 1550, only three or four years before the intercourse between the English and Russians began, the first session of the Russian parliament was held, and Ivan the Terrible in his opening speech accused the boyars or higher nobility of misgovernment and threw on them the responsibility for the misery of the people. In 1566 the second Russian parliament was convoked to decide on war with Poland. In 1584 the assembly confirmed the right of Ivan's eldest son, Theodor, to the throne. Horsey, the English ambassador who was present, speaks of this as a 'parliament,' but tells us that it was composed of clergy and the higher nobility, so that it was not a representative assembly. Neither was the 'Sobor,' held at the desire of Boris Godunof, when the throne was offered to him unconditionally, a national assembly, the third estate being almost unrepresented. In fact, says M. Kovalevsky, the representative assembly was almost unknown during the sixteenth century, the councils being more like a parody of the ancient folk-motes. On the other hand the parliament held to elect a new tsar after the interregnum was thoroughly national in its constitution, in the resolutions passed and in its choice of Michael Romanof, the founder of the ruling dynasty. Before this time the influence of Poland had begun to affect Russia, and the sovereign power offered to the young Romanof was far from being the same as that enjoyed by Ivan the Terrible. In 1682 the inhabitants of Moscow alone were summoned when they elected to the throne the youngest son of Alexis, Peter the Great. In 1698 the Sobor was convoked for the last time to pass judgment on the Princess Sophia who had tried to seat herself upon the Russian throne during the absence of Peter in Western Europe. On that occasion, according to a trustworthy contemporary account, two delegates from each of the estates, beginning with the highest and ending with the lowest, were present.

In his sixth and concluding lecture M. Kovalevsky traces for us the 'origin, growth, and abolition of serfdom in Russia,' showing that historians have wrongly attributed its introduction to the law promulgated by Boris Godunof in 1597. After that time peasants had the right of removal from manor to manor on St. George's day, and it was not till 1622 that bondage (*krépostnoie pravo*) became an accomplished fact.

E. DELMAR MORGAN.

The Origin of Property in Land. By FUSTEL DE COULANGES. Translated by MARGARET ASHLEY. With an introductory chapter on *The English Manor* by W. J. ASHLEY, M.A., Professor of Political Economy in the University of Toronto. (London: Swan Sonnenschein & Co. 1891.)

FUSTEL DE COULANGES' essay appeared in the 'Revue des Questions Historiques' in 1889, and a summary of its contents was given in the ENGLISH HISTORICAL REVIEW, iv. 617. It excited at the time a good deal

of attention, and we are glad to see it in an English translation, for (as is truly remarked in the preface) it gives us 'in a comparatively brief compass all the main arguments of that great historian against the various attempts which have been made to support the theory of primitive agrarian communism by an appeal to historical records.' The work is a model of clear and forcible destructive criticism. It has no doubt a certain want of finish that betrays its original character as a contribution to a review; the same arguments are used and the same facts cited in different connexions, as in pp. 6 and 148 n., pp. 22 seq. and 65, and no reference is made from one place to another; but since the lamented death of the author it was better to republish what he wrote than to rearrange it in a more regular fashion. The translation is excellently done and reads like an English book; it is so faithful that it sometimes reproduces the misprints of the original (*Rheingauische*, p. 45, n. 2; *tuncipesmot*, p. 128). The references to the author's posthumous volume on 'L'Alleu' add to the usefulness of the book. In a future edition it would be an advantage to give a supplementary note or two, expanding from Coulanges' other writings such notes as that on p. 10, which requires further explanation. Without now discussing the highly contentious question with which the book is concerned, the writer of this notice need not conceal his belief that the idol of the 'mark-system' belongs to a cultus which is fast dying out, and that no man has done more to bring about this result than Fustel de Coulanges. Professor Ashley's valuable introductory chapter is practically an application to English ground of the principles laid down by Coulanges with respect to the agrarian conditions of the continent; and it exhibits the same abundance of knowledge, acuteness of interpretation, and lucidity of exposition, which we find in the chapter on the manor in his 'Introduction to English Economic History.' It is a pity that so good a book should not be better printed.

The Sancta Respublica Romana. A handbook to the history of Rome and Italy from the division of the Roman world to the breaking up of Charlemagne's Empire. A.D. 395-888. By RICHARD HEBER WRIGHTSON, M.A. (London: Henry Frowde. 1890.)

THIS is a very inadequate and disappointing piece of work. The intelligent English tourist in Italy, whose need of some historical background for his sight-seeing is primarily kept in view by Mr. Wrightson, may justly complain that he has been put off with something very inferior to what he might reasonably have expected. It is really inexcusable to publish a handbook to the history of Italy during these centuries, which simply ignores the labours of Mr. Hodgkin, and bases itself upon more or less antiquated Italian authorities like Muratori. These authorities are sometimes followed with more fidelity than discretion; forms like *Giovius* (p. 28), *Paolinus* (p. 64), *Garibaldo*, Duke of Bavaria (p. 177), the Caliph *Moavia* (p. 202), and *Arnolph* (p. 279), constantly meet the eye. There is also a curious wavering between the Latin and Italian forms of place names. *Auximum* and *Osimo* (p. 130), *Portus Romanus* and *Porto* (p. 152), occur in close juxtaposition. Mr. Wrightson claims to have made use of 'contemporary authorities, and such ancient records as

have come down to us.' But it may be doubted whether the thoughtful Englishman in Italy will be much advantaged by a first-hand study of the original authorities which judges Stilicho from the 'impartial' pages (quoted through the medium of a Latin translation) of Zosimus. 'Impartial,' however, seems a fixed epithet with Mr. Wrightson for all historians save Gibbon, with whom he more than once tries a fall. An occasional reference to sources, often merely by name, and without any indication that the authority of the *Historia Miscella* or Theophanes is not as satisfactory as that of Priscus or Procopius, must be worse than useless. If the author had taken the trouble to acquaint himself with the most recent historians of his period, his chronicling would have been less dry and lifeless, and he would not *e.g.* have described Charles the Great as king of 'France.' Minor errors abound. The Emperor Anastasius, the successor of Zeno, is 'weak and unwarlike,' Belisarius fights a battle with the Vandals 'at Decimus' (that is, 'ad Decimum,' at the tenth milestone), Sirmium is identified with the modern Belgrade, Gregory the Great became Pope in 592, and Chilperic was the last Merovingian king.

Histoire de l'Europe de 395 à 1270. Par C. BÉMONT et G. MONOD.
(Paris: Alcan. 1891.)

THIS is a volume of a series of graduated school histories, and is intended to be read in the third class of a *lycée*. It is almost a model of what a good school book should be, and is much superior in scholarship to any book of the same class which we know of in English. There are numerous illustrations, tables, and maps. The facts are not overcrowded together, and a clear thread of connexion runs through the whole book. The eminence of the writers is a sufficient guarantee for the soundness of the text. We may note, perhaps, that in the English part they lay a little too much stress on the seven kingdoms of the 'heptarchy.' It is also strange that in a work by M. Bémont the exact part played by Simon of Montfort in the development of the House of Commons is hardly stated with precision. Special stress is laid on French history, but the plan of teaching young pupils to regard their national history as part of a general development is much to be preferred to our insular plan of absolutely neglecting to teach in our schools the very rudiments of European history.

The Dictionary of National Biography. Edited by LESLIE STEPHEN and SIDNEY LEE. Vols. XXIII-XXVIII. (London: Smith and Elder. 1890-1891.)

SINCE the last notice of the 'Dictionary of National Biography' in the *ENGLISH HISTORICAL REVIEW* (Oct. 1890) six volumes have appeared in due succession, carrying on the work from Gray to Inglethorp. The editorship has in the meanwhile passed from the hands of Mr. Leslie Stephen to those of Mr. Sidney Lee, but so firmly had the originator of the scheme laid down the lines on which the dictionary was to proceed, and so thoroughly is Mr. Lee imbued with the spirit of the undertaking,

that no internal evidence of the change of direction is discernible. One difficulty, indeed, Mr. Lee has not contrived to surmount; perhaps it is, in the nature of things, insurmountable. In seeking writers to recount the actions of persons recently deceased, he has naturally turned by preference to their near relations who have from personal knowledge access to a source of information closed against others. On the other hand, such writers cannot be impartial, and more than one instance might be given from the volumes now under consideration, in which a relative or connexion decides in favour of the subject of the biography, in matters which are, to say the least, open to doubt. A note pointing out that the writer was the son or brother, as the case might be, of the personage whose actions and character he defends, would put the reader on his guard, but it is hardly a course which an editor can well be expected to take, if he expects to retain the services of such contributors.

The royal subjects of biography in these volumes are the eight kings who bore the name of Henry. For the first and third Mr. Lee has gone to Mr. Hunt, for the second to Miss Norgate, for the fourth and sixth to Professor Tout, for the fifth to Mr. Kingsford, and for the seventh and eighth to Mr. Gairdner. The names of the writers are sufficient guarantees for soundness of work, and on the whole they have kept themselves free from the temptation to write history under the guise of biography. Professor Tout's account of the early life of Henry IV deserves special commendation as a piece of original investigation. Where there is so much to praise it may seem invidious to select any articles as being of special merit, but attention may be called to the treatment of George Hickes by Mr. Macray, of Peter Heylyn by Bishop Creighton, of George Herbert, and William Herbert, Earl of Pembroke, by Mr. Lee, of Herrick by Mr. Buller, of Hyde (Clarendon) by Mr. Firth, and of Aaron Hill by Mr. Stephen.

Attention on the other hand may be called to one or two questionable assertions. Is Mr. Macray right (vol. xxvi. p. 306) in attributing the verses found in some editions of 'Εἰκὼν Βασιλική,' subscribed J. F., to John Hewit or Hewett? They resemble some written by John Howell, and printed in his letters. For his life of John Hill, the governor of Inverlochy, Mr. Manners Chichester might have referred to Mackay's Memoirs published by the Bannatyne Club. Mr. Anderson has wrongly identified Thomas Henshaw, scientific writer, with Major Thomas Henshaw who was concerned in Gerard's plot, and has missed much on the real subject of his biography contained in Evelyn's diary and the recently published 'Kennington Registers.' On the Major, the 'Thurloe Papers,' ii. 360, and Rawlinson MSS. A., 57, 191, 413, should be consulted.

CORRESPONDENCE

RICHARD III AND HENRY VII

Reply from Mr. Clements Markham

It is fortunate that my paper on Richard III (in the April number of this review) should have attracted the attention of Mr. Gairdner, and induced him to examine and criticise it. His profound knowledge of this part of

English history, and the close attention he has given to it, entitle every word of his to the most respectful consideration. His article (in the July number) shows what a change has taken place in the way these historical questions are treated and discussed since the days of Hume, or even of Lingard. The truth is gradually dispelling old prejudices, and few historians have done more to further this good work than Mr. Gairdner himself. It was his 'Life of Richard III,' and the researches it suggested, that convinced me of that king's innocence of the charges brought against him. Whenever a first attempt is made to explode an erroneous belief, the cry is raised that if it is not retained there is an end of all history. Hume, if I remember right, raised this outcry when Horace Walpole suggested that Elizabeth Lucy was not the lady mentioned in Richard's claim to the crown. Mr. Gairdner and every one else who has given attention to the subject know that Walpole was right. Yet history has survived. History will not only survive but will be the better for the expunging of other stories from the same source.

The question of the authorship of the political pamphlet published by Rastell and others, and erroneously attributed to Sir Thomas More, is very important. I believe it to be of as much consequence to the reputation of Sir Thomas More as to the truth of history generally that his memory should be cleared in the matter, and that he should not be saddled with having composed a discreditable lampoon, merely on the ground that a copy of a portion of it was found among his papers, in his own handwriting, after his death. The statement of the author of the pamphlet that he attended the deathbed of Edward IV settles the question. More could not have been present. Mr. Gairdner suggests that this statement was an interpolation when the narrative was published in the continuation of Hardyng's 'Chronicle,' because it does not also occur in Rastell's version printed long afterwards from More's manuscript. But this omission can be explained without so violent an hypothesis as that the passage was interpolated. There was no conceivable motive for such an interpolation. There must have been several copies of the narrative in circulation, and young More made an incomplete transcription of one of them, which he did not finish. He not only omitted this sentence, but also several others, and the whole of Morton's concluding conversation with Buckingham. The more complete texts were given by Hardyng and Grafton. More's copy ends abruptly and omits all the concluding part, which is another proof that he was not the author. The termination of the complete narrative at the very point when Morton escaped from England is one proof that Morton was the author.

Mr. Gairdner finds fault with my contention that the evidence on which Tudor writers mainly rely to establish the accusation that Richard murdered his nephews is the alleged perpetration of numerous other crimes. He says that this is altogether a new view of the matter and that the facts are exactly the other way; for that the Tudor writers only insinuate suspicions about earlier crimes, but assert the murder of the princes as a positive fact. I do not myself see how the question whether they deal with insinuations or direct assertions in particular cases affects my argument. But, however this may be, Mr. Gairdner will find, on

further consideration, that the insinuations are not confined to the earlier crimes, and that the direct assertions are not confined to the murder of the two princes. Polydore Virgil makes a very direct assertion as regards the Tewkesbury story; ¹ Rous also deals in direct assertions. *Dominam Annam reginam suam intoxicavit* ² is a tolerably direct assertion. On the other hand two at least of the original Tudor writers only mention the murder of the princes in the form of a rumour, as Mr. Gairdner has elsewhere pointed out, and another mentions a rumour that they had escaped abroad. Tudor writers scatter insinuations and direct assertions quite impartially over all parts of their indictment. When these facts are brought to his recollection, I think that Mr. Gairdner will admit that my contention is not altogether unfounded, and that his argument against it is defective.

I am aware that Mr. Gairdner held some years ago that the tradition of the Tewkesbury assassination could not safely be pronounced apocryphal, but I thought that he was not far from reaching such a conclusion. He has certainly not attempted to meet my argument, which is that while all contemporaries tell us that young Edward was slain in the field, and that while Morton, who was actually present at Tewkesbury, says nothing in a book written with the object of reviling Richard, the sole authority for the assassination is an Italian who had no personal knowledge, is proved to be thoroughly untrustworthy, and wrote thirty years after the event.³ Mr. Gairdner ignores all this, and merely quotes a passage in the Croyland Chronicle ⁴ which is irrelevant as regards Richard. Whatever the meaning of the Croyland monk's use of the words *ultricius manibus* may be, they certainly refer to the conduct of the king and not to that of Gloucester. Mr. Gairdner also suggests with regard to a statement of Warkworth,⁵ that young Edward of Lancaster cried to Clarence for succour when he was being slain in the battle, that it was Gloucester who was killing him. The two boys were nearly the same age, and it would have been a perfectly fair fight. But this is Mr. Gairdner's unsupported hypothesis. It is not history, and even if it was it would effectually dispose of the assassination story. Death after a fair fight on a battle-field is not murder. Unless the testimony of those who were absent and who belonged to another generation is to be preferred to that of contemporaries and eye-witnesses, the fable of young Edward's murder ought never again to find a place in serious history.

There are two questions with reference to the death of Henry VI. The first is the date. If it did not take place on 21 May, the participation in it of the duke of Gloucester is impossible. An alibi is established. If it did take place on the 21st the impossibility is removed, and the gross improbability of the insinuation, for it never was more than that, has to be considered, and is the second question. Mr. Gairdner devotes himself to the first question—that is, the question of the date. Warkworth and Fabyan,⁶ in order to point an insinuation against Gloucester, give the 21st as the day of Henry's death. They are followed by the writers of five manuscripts, anonymous and without date, referred to

¹ Polydore Virgil (trans.), p. 336.

² Rous, 217.

³ Polydore Virgil, 336.

⁴ Croyland Chron. contin. 555.

⁵ Warkworth, Chron. (Camden Soc.), p. 18.

⁶ Fabyan, 662.

by Mr. Gairdner. One of these manuscripts shows that the obit of Henry VI was kept on 22 May at the time it was written, but there is no date. If 21 May is the true date, the obit was doubtless fixed soon after the event. If it is a false date, the obit was either fixed or changed when the accusation against Richard was promulgated in the reign of his successor. This question must be decided by weighing the evidence against the 21st. No doubt the evidence of Warkworth and of these manuscripts would be very important if it stood alone. It can only be considered as the evidence of one authority, either Warkworth or Fabyan, from whom the later anonymous writers took their date of Ascension Eve. But when we find this evidence contradicted by other and better authorities, as well as by collateral and independent coincidences, it is justifiable to look upon it with some suspicion. Fabyan and Warkworth wrote with the object of pointing an insinuation against the duke of Gloucester, and as to do so it was necessary to adopt the 21st as the date of Henry's death, we may fairly suspect their motive in giving that date, if there is equally good rebutting evidence.

The evidence on the other side is stronger. First there are the household accounts⁷ proving that Henry's expenses and diet allowances were continued until the 24th, either the day of his death or the succeeding day. Mr. Gairdner, indeed, suggests that the accounts only refer to Henry's servants, who were paid up to the 24th. But this is not so. The accounts also refer to Henry himself; they show that Warkworth and those who followed him were wrong about Ascension Eve. But the accounts do not stand alone, although their evidence is sufficient to establish Richard's innocence. The writer of the narrative of King Edward's restoration gives the 23rd as the date of Henry's death.⁸ Mr. Gairdner warns us that the statements of this writer must be received with caution, because he wrote for Edward IV. Undoubtedly. But Mr. Gairdner forgets to warn us that the statements of writers under the influence and in the pay of Henry VII must also be received with caution. The writer of this narrative knew the date of Henry's death from personal knowledge. There was no reason why he should alter it. The accusers of Gloucester declare that the murder was kept a profound secret. If the alleged murder was a secret and the death of Henry was publicly known, it is absurd to suppose that the writer falsified a well-known date in order to conceal an unknown deed. The evidence of this witness ought, therefore, to be accepted as correct. The date of the 21st is also denied by another quite independent authority. Polydore Virgil was officially supplied with materials for his history, and, when he had no special reason for falsifying it, he must be accepted as a higher authority than either Fabyan or Warkworth. He tells us that Henry's death took place after the 21st. Mr. Gairdner is silent about Polydore Virgil's evidence. The alibi in favour of Gloucester is thus established by the weight of evidence, and with it his innocence of Henry's murder. The Croyland monk, in one of his ambiguous sentences, refers to Edward IV, not to Gloucester, as having earned the title of a tyrant in consequence of Henry's death.

⁷ Rymer's *Foedera*, xi. 712.

⁸ *Fleetwood Chron.*

It is unnecessary to discuss the point raised by Mr. Gairdner with reference to the death of Clarence, because it is admitted, not only that Gloucester was not concerned in it, but that he opposed the attainder of his brother. With this admission the characteristic sneers and innuendos of Morton may well be disregarded. It is, however, difficult to follow Mr. Gairdner when he suggests that the foundation by Richard of religious establishments at Middleham and Barnard's Castle was of an expiatory character, when he admits, grudgingly enough, that Richard was innocent. If he was innocent how does the expiation come in?

My argument respecting the date of the execution of Hastings remains, I venture to think, unshaken by Mr. Gairdner's remarks. But his suggestion that when Stallworthe wrote 'Friday last' he intended to write 'Friday last week' cannot, I would submit, be accepted as an admissible hypothesis. It is scarcely allowable for Mr. Gairdner to alter the text of a document without some better reason than that the writer was unwell.

Mr. Gairdner appears to agree with my view of the grounds on which Richard's title to the crown was based, and with my contention respecting the execution of Lord Rivers and his associates; so we now come to his treatment of the main question, the murder of the two princes.

I still attach importance, though not undue importance, to the entry in the regulations of Richard's household respecting the 'children.' Mr. Gairdner thinks it unlikely that persons in the position of the young princes would be so designated; but I cannot see any force in this objection when there is reason, on grounds I have pointed out, for thinking that these 'children' were persons of high rank. Mr. Gairdner adds that this is all the evidence I have produced that the princes were not murdered in the summer of 1483. But this is not so. Mr. Gairdner has refrained from referring to the other evidence; but it was all before him. It is as follows: I have shown that there was no motive for the murder. I have pointed out that, if rumours existed that the boys were dead, it is difficult to believe that the queen dowager would have thrown her remaining children, who were equally in his way, on the protection of their murderer. It is just possible that a weak and selfish woman might have been induced to come to terms with the murderer of her sons in order to obtain a more comfortable provision for herself. But she did more than this. She sent to her other son, who was safe in France, advising him to return home and submit himself to the king.⁹ It is incredible that she could have done this unless she knew that the two boys were alive and well treated. She remained on friendly terms with Richard until his death. She (or her daughter) wrote a letter to the Duke of Norfolk, saying that Richard was 'her only joy and maker in the world,' and that she was 'his in heart and thought.'¹⁰ If he had just murdered the sons of one and the brothers of the other, they could not have written in this way. Mr. Gairdner is fully impressed with the difficulty of the other alternative—that the letter was not genuine.¹¹ But, without this Norfolk letter, the evidence from the conduct of the queen dowager is nearly conclusive. Of these various points, the conduct of the queen dowager furnishes the strongest proof that her sons were alive during the reign of Richard III, but all have some weight as positive evidence against

⁹ Polydore Virgil,

¹⁰ Buck, 128.

¹¹ *Richard III*, p. 256.

the truth of the accusation. Mr. Gairdner is not quite fair, therefore, when he says that the household regulations are all the positive evidence I have to produce that the princes were not murdered in the summer of 1483.

Mr. Gairdner then says, 'We have now to consider the positive evidence that they were.' But he produces absolutely none. He merely refers to the alleged rumour mentioned by the Croyland monk, and to the French chancellor's speech, points which I have already discussed. As Mr. Gairdner adds nothing new, I am content to leave our respective views of the same data to the judgment of those who are interested in the subject. I am here placed on my defence. The Croyland monk was told that there was a rumour of the murder of the two boys in the south and west of England, which led to mutinous assemblies. I find that the vigilant government of the king was taken entirely by surprise when the rebellion broke out; I consequently infer that there was no such public rumour as the monk was informed of, leading to mutinous assemblies, because if there had been, the king's government would have heard of it, and would not have been taken by surprise. This seems to be a natural inference. But Mr. Gairdner says, 'Really that is the most extraordinary way of dealing with original evidence that I ever met with.' I am very sorry he thinks so, but I am unable to see anything in it but a fair inference from the facts. He asks, if the monk wrote in good faith, as I admit, 'how could there have been no such thing as a rumour?' Surely the monk may have been told that there was a rumour and may have believed it, and yet the rumour may not have existed. This explanation, indeed, alone fits all the circumstances of the case.

Mr. Gairdner then asks how Henry Tudor could hope to obtain the crown if the princes were alive. The princes were declared to be illegitimate, and were not in his way either alive or dead. Their sister was also illegitimate, and I therefore do not believe the story that Henry promised to marry her when he was in Brittany. Henry hoped to obtain the crown by the help of the discontented factions of Buckingham, Hastings, the Woodvilles, and the Lancastrians; by means of countenance and money from the French government; by the aid of foreign mercenaries, and above all, through the treachery of the Stanleys. He obtained the crown on a worthless Lancastrian title, and by sheer conquest. He said so himself. He soon found that this was a very insecure title, and, after long hesitation, he determined to try and strengthen his position by destroying all the evidence of the illegitimacy of Elizabeth, and marrying her, so as to gain Yorkist support. It was a clever scheme, and was successful. Then, but not till then, if the princes were alive, they became a danger to him, because, by making Elizabeth legitimate, he made her brothers legitimate also. It became a matter of life and death to Henry that they should cease to exist, and, if they still survived, it may be taken as certain that Henry murdered them. Mr. Gairdner asks how the sister could be of so much consequence while her brothers were still alive. She was of no consequence while her brothers were alive, and this makes it perfectly certain that, if they were alive, Henry murdered them. This is my case.

Mr. Gairdner asks if there was no rumour of the death of the princes,

and whether nobody cared what had become of them. No doubt there were rumours, but power unscrupulously used kept them down, and Henry took care that posterity should never hear of them. No doubt there were those who cared what had become of the boys. Their mother cared, and lifelong seclusion in Bermondsey nunnery silenced her awkward questions. If Richard had murdered the boys, he would have treated her in the same way. In point of fact he treated her in a very different way. Their brother cared, and a temporary imprisonment in the Tower had the like effect on him. Their sisters cared. One was the tyrant's wife, and at his mercy. The other grown-up sister was married the same year to Henry's old uncle, and so provided for. Many others may have cared, but of what avail?

Mr. Gairdner's theory is that when Tyrrel was condemned to death for a different offence, he confessed all to a priest, that his confession implicated only one man alive, namely Dighton; that Dighton was examined under a promise of pardon; and that this is the reason they were not tried and punished for the murders; that Tyrrel's confession was not published because it was made under the seal of confession, and that Dighton's was kept secret because the king's pardon would not protect him from the fury of the people. The objection to this theory is that Polydore Virgil was actually supplied with a statement for publication, in spite of the seal of confession; that a full confession would have implicated several besides Dighton, so far as is known from the authorities accepted by Mr. Gairdner, for, according to them, only Forest was dead; and that Dighton's story was not kept secret, for we are told that he was 'no less disdained and hated than pointed at,' during his residence at Calais.

Having shown that Mr. Gairdner's theory about the confession is quite untenable, I venture to refer to my own explanation as the only one which meets all the facts of the case.

Mr. Gairdner has failed even to mention the chief points on which I rely for evidence that Henry was the murderer. First there is the evidence that the princes were alive during Richard's reign, evidence which, except as regards one point, Mr. Gairdner has not even mentioned, much less disproved, as I have already shown. If their uncle was innocent, Henry must have been guilty. Secondly there is the significant fact that when Henry caused the dead king to be included in an Act of Attainder, although he vaguely reviled him for cruelty and tyranny, he did not accuse him of the murder of his nephews. If the young princes were dead or missing when Henry got possession of the Tower, he must have known it, and he would certainly have accused Richard of having murdered them, in the Act of Attainder. He did not do so. There can only be one explanation of this conduct. The princes were not missing. Mr. Gairdner does not mention this piece of evidence. Thirdly, there is the contrast between Richard's and Henry's treatment of the mother. Fourthly, Sir James Tyrrel received a general pardon in June 1486, and another general pardon in July 1486. The inevitable conclusion is that a dark and secret crime was committed between those dates. This is evidence against Henry, and is my chief point. Mr. Gairdner passes it over in silence. It is strengthened by the whole history of Henry's

connexion with Tyrrel, by his grants to Tyrrel, Green, Dighton, and Black Will, and by other combinations of circumstances which I have set forth. I certainly have no intention of contradicting Sir Thomas More in the matter of Dighton. I am convinced that Sir Thomas had no hand in the concoction of the fiction attributed to him. Yet I believe that a strong suspicion is quite justifiable that Henry's *protégé*, John Dighton, the parson of Fulbeck, was the original of the imaginary John Dighton of the fiction wrongly attributed to More. I have now shown that Mr. Gairdner has neither disposed of my evidences that Richard did not commit the crime, nor of my evidences that Henry did. He has not even mentioned them.

In his 'Life of Richard III' Mr. Gairdner has brought prominently forward the many good points in Richard's character, and his numerous acts of generosity and kindness. His work has so weakened many of the traditional fables that they are not likely to retain a place much longer in serious history. When he tries to maintain the old beliefs he is not so successful. Thus no man living has done more to whitewash Richard, if he insists upon using that phrase, than Mr. Gairdner himself. But the process should rather be called, with his permission, the removal of Tudor mud from the portrait of Richard III. It is unfortunately true that he would leave the worst patch of mud, but his learning and research have pointed out the way for others to continue the cleansing investigation which will lead to its finally being wiped out.

Rejoinder from Mr. James Gairdner.

The very few observations that I have to make on Mr. Markham's rejoinder must be written away from books, and amid scenery which provokes thoughts of anything rather than the crimes, or supposed crimes, of Richard III. Yet I believe nothing will be lost thereby, either to the reader or to the cause of history. For in fact the evidences are now pretty fully before the public, and the only question is about the method of interpreting them. On one point it would seem that something does require to be said, because I find that I am taxed with passing over in silence evidence that was before me when I wrote. This certainly is a serious fault whenever it can be proved against a controversialist. But when the charge is examined it turns out that what Mr. Markham means by evidence is only certain opinions and inferences of his own as to what is probable or improbable; and I must say I do not think he will find many to agree with him.

In all historical investigation it must be remembered that we know absolutely nothing of what was done in past ages except what we are told; and we are not required to believe all that. But still less can we be expected to believe what we are not told, unless it be established by very safe inferences indeed. Now Mr. Markham does not believe all that we are told with regard to Richard III. Good and well. I have admitted myself that much of it (with the exception of the murder of the princes) rests upon very slender evidence, which might easily be put aside if we had stronger evidence on the other side. But Mr. Markham wishes us also to believe what we are not told without producing anything like real evidence for it at all. He wishes us not only to reject the story that the

princes were put to death by Richard III, but also to believe that they were alive during the whole of Richard's reign, and further that they were put to death by Henry VII after he had married their sister.

Now the curious thing is that Mr. Markham does not deny that the princes were murdered. If he did his position would be intelligible; for the evidences that satisfy me of a fact may not appear equally satisfactory to some other person. But he thinks it was Henry VII, not Richard, who ordered them to be put to death; and this, as I say, on no evidence at all, because no writer, either English or foreign, breathes even a hint of such a thing. All must have been, I suppose, bribed or intimidated by Henry to misrepresent the facts—even Philip de Commines, who says distinctly that Richard gave the order for their murder. And the truth, which must have been known to thousands at the beginning of Henry's reign, was actually written down, and in some mysterious manner stamped out of people's minds, so that falsehood took its place and remained unchallenged.

All this to me is very mysterious. But I confine myself to the hypothesis that the children lived through the reign of Richard; for it is here I have to vindicate myself. In fact this is the very kernel of the controversy between us, and it is here especially that my notion of evidence differs so strongly from Mr. Markham's. Some months after the murder of the princes—or after the date to which it is commonly referred—Mr. Markham finds an allusion to 'the children' in certain regulations for King Richard's household, and he considers still, apparently, though not with entire conviction, that the children in question were the princes. I should have thought this very unlikely, even if the princes had been known to be alive. And yet this I said, and say still, is the only positive evidence that Mr. Markham has brought forward to show that they were alive. Mr. Markham in reply says he has produced other evidences to which I have not alluded. And I find, when I count them up, that these so-called other evidences are no less than four. Let us see what they are.

First, that 'there was no motive for the murder'! I remember I really had intended to notice this 'extraordinary argument' in a parenthesis, but was induced to strike it out lest my words should have appeared a little scornful. But I will not attempt to weigh the argument now. All that I have to remark is that it certainly is not 'positive evidence' against the murder.

Second, that 'if rumours existed that the boys were dead, it is difficult to believe that the queen dowager would have thrown her remaining children on the protection of their murderer.' This again is not positive evidence; it is an argument to invalidate positive evidence: for the existence of the rumours rests on quite as good authority as the fact that the queen dowager placed her remaining children in Richard's power. Historians have therefore accepted both facts, not seeing anything to discredit the testimony.

Third, the queen dowager went still further. 'She sent to her other son who was safe in France, advising him to return home and submit himself to the king.' This again, though it rests only on Polydore Vergil's authority, of whom Mr. Markham has generally such a bad

opinion, I believe to be true ; but it is no evidence at all that the princes were alive. It only shows that the queen dowager considered Richard's power too firmly established to be shaken, and that she thought it would be well to make the best of things by showing that none of her family gave the slightest countenance to Richmond.

Fourth : ' She remained on friendly terms with Richard until his death. She (or her daughter) wrote a letter to the duke of Norfolk, saying that Richard was " her only joy and maker in the world," and that she was " his in heart and thought." ' Even this, if such a letter actually existed now, or the text of it had ever been printed, and we were perfectly assured of its genuineness, surely cannot be called positive evidence that the princes were alive at the time, or even that they had not been murdered several months before. It would only show that Richard managed plausibly to excuse himself, treating the murder as an unhappy accident, or that in spite of their knowledge of his guilt both the queen dowager and her daughter believed that there was no chance of safety for them except in a display of perfect cordiality, and even an acceptance of his horrible overtures. And this latter I believe to be the real explanation if the letter itself is genuine. But although I have not unhesitatingly rejected it as a forgery, it would be absurd to say that it is safely to be relied on as a piece of ' positive evidence.'

So much for Mr. Markham's positive evidence that the princes were not murdered. As to my positive evidence that they were, he says I produce ' absolutely none.' Still adhering to his curious phraseology about ' alleged rumours ' (as if an allegation recorded both in England and France, and declared in a very public manner in the latter country, could be anything *less* than a rumour), he dismisses the statement of the Croyland monk, not to say of Rous, Bernard André, the French chancellor, and Philip de Commines, and finally of Sir Thomas More, whose book he still attributes to Morton (though Morton's authority, if he ever knew those details of the murder, would be even better than More's), as no ' positive evidence ' at all ! The wonder is, not that he discredits their testimony—for the evidence of some of these witnesses, taken singly, would be weak enough—but apparently he will not allow it to be evidence at all. At all events it consists of direct statements of a fact, which have got to be accounted for ; they must not be withdrawn from the consideration of the court. And with that court, which must ultimately decide the matter—the court of common sense and general opinion—I am now content to rest all the evidences of the case.

Errata in No. 23, Vol. VI.

In Mr. Round's article on ' The Introduction of Knight Service,' page 423, line 7 from bottom, for ' writs ' read ' units.'

In Canon Dixon's review of Gasquet and Bishop's ' Edward VI and the Book of Common Prayer,' page 571, line 15 from bottom, for ' he refers ' read ' I refer ; ' page 573, line 15, for ' he says ' read ' I say ; ' lines 20 and 21, for ' him ' read ' me ; ' page 576, line 20, for ' He has ' read ' I have.'

For these latter mistakes, which make nonsense of the passages in which they occur, Canon Dixon is in no way responsible, they having arisen from want of notice on my part in transposing the references to himself in a lengthy article from the third into the first person.—ED. E. H. R.

List of Historical Books recently published

I. GENERAL HISTORY

(Including works relating to the allied branches of knowledge and works of miscellaneous contents)

- CESTARO (F. P.) *Frontieri e nazioni irredente*. Pp. 183. Turin: Roux. 3 l.
- COLOMB (P. H.) *Naval warfare: its ruling principles and practice historically treated*. Pp. 440. London: Allen. 21/.
- DUPUY (C.) *Des juridictions civiles à Rome et dans les provinces jusqu'à Dioclétien, en droit romain; de l'organisation, des attributions, et de la responsabilité du pouvoir exécutif en France, en Angleterre, et aux Etats-Unis, en droit français*. Pp. 193. Bordeaux: Cadoret.
- GIBBINS (H. de B.) *The history of commerce in Europe*. Pp. 233, map. London: Macmillan. 3/6.
- NOËL (O.) *Histoire du commerce du monde depuis les temps les plus reculés: temps anciens; moyen âge. Maps, &c.* Paris: Plon. 20 f.
- PARTSCH (J.) *Philipp Clüver, der Begründer der historischen Länderkunde. (Penck's Geographische Abhandlungen. V, 2.)* Pp. 47, map. Vienna: Hölzel. 2 m.
- ROCHA (Diego Andrés). *Origen de los Indios del Perú, Méjico, Santa Fé, y Chile. I. (Colección de libros raros que tratan de América. III.)* Pp. 224. Madrid: Murillo. 3-50 pes.
- SEPP (J.) *Völkerbrauch bei Hochzeit, Geburt, und Tod: Beweis für die Einheit des Menschengeschlechtes und die Urheimat Asien*. Pp. 176. Munich: Huttler. 2 m.
- TOMMASINI (O.) *Scritti di storia e critica: commemorazioni e programmi*. Pp. 354. Rome: Loescher. 16mo. 5 l.

II. ORIENTAL HISTORY

- AL-HAMDÂNÎ. *Geographie der arabischen Halbinsel, nach den Handschriften von Berlin, Constantinopel, London, Paris, und Strassburg, zum ersten Male herausgegeben von D. H. Müller*. II. Pp. 242, 171, plate. Leyden: Brill.
- DINGELSTEDT (V.) *Le régime patriarcal et le droit coutumier des Kirghiz*. Pp. xlvî, 96. Lausanne: Duvoisin. 3 f.
- EN-NESAWÎ (Mohammed). *Histoire du sultan Djelal ed-din Mankobirti, prince de Kharezm. Texte arabe publié d'après les manuscrits de la Bibliothèque nationale par O. Houdas. (Publications de l'Ecole des langues orientales vivantes. 3^e série. IX.)* Paris: Leroux. 15 f.
- INSCRIPTIONUM Semiticarum, Corpus. Pars prima, inscriptiones Phoenicias continens. II, 1. Pp. 112, 11 plates. Paris: Klincksieck. Folio. 25 f.
- LINCKE (A.) *Forschungen zur alten Geschichte. I: Zur Lösung der Kambyses-Frage*. Pp. 49. Leipzig: Fock. 1-20 m.
- MASPERO (G.) *Etudes égyptiennes. II: La carrière administrative de deux hauts fonctionnaires égyptiens vers la fin de la troisième dynastie et les quatre noms officiels des rois d'Egypte*. Pp. 288. Paris: Maisonneuve. 15 f.
- MUIR (sir W.) *The Caliphate; its rise, decline, and fall*. Pp. 608. London: Religious tract society. 10/6.
- NIZAM OUL-MOULK (le vizir). *Siasset Namêh: traité de gouvernement composé pour le sultan Melik-Châh. Texte persan édité par C. Schefer. (Publications de l'Ecole des langues orientales vivantes. 3^e série. VII.)* Paris: Leroux. 15 f.
- ODORIC DE PORDENONE (frère), religieux de Saint-François, *Les voyages en Asie au quatorzième siècle du, publiés avec une introduction et des notes par H. Cordier. (Recueil de voyages et de documents pour servir à l'histoire de la géographie depuis le treizième jusqu'à la fin du seizième siècle.)* Maps. Paris: Leroux. 60 f.

RABOISSON (abbé). Description géographique des anciens empires d'Assyrie, d'après les documents cunéiformes. I: Tiglath Pileser I. Pp. 84, map. Paris: Firmin-Didot.

SCHLEGEL (G.) & CORDIER (H.). T'oung pao: archives pour servir à l'étude de l'histoire, des langues, de la géographie, et de l'ethnographie de l'Asie orientale. I, 1. Pp. 97. Leyden: Brill.

III. GREEK AND ROMAN HISTORY

BAUER (A.). Literarische und historische Forschungen zu Aristoteles' *'Αθηναίων πολιτεία*. Pp. 190. Munich: Beck. 3 m.

BELLEZZA (P.). Dei fonti e dell'autorità storica di C. Crispo Sallustio. Pp. 182. Milan: Tip. Cooperativa editrice. 16mo. 2-50 l.

BELOCH (G.). Studi di storia antica, pubblicati da. I. Pp. 207. Rome: Loescher. 6 l.

BERGER (H.). Geschichte der wissenschaftlichen Erdkunde der Griechen. III: Die Geographie der Erdkugel. Pp. 158. Leipzig: Veit. 4-40 m.

BEURLIER (E.). Le culte impérial; son histoire et son organisation depuis Auguste jusqu'à Justinien. Paris: Thorin. 7-50 f.

CAT (E.). Essai sur la province romaine de Maurétanie césarienne. Pp. 314. Paris: Leroux. 5 f.

CAUER (F.). Hat Aristoteles die Schrift vom Staate der Athener geschrieben? Ihr Ursprung und ihr Wert für die ältere athenischen Geschichte. Pp. 78. Stuttgart: Göschen. 1 m.

DIONYSI Halicarnassensis Antiquitatum Romanarum quae supersunt. Ed. C. Jacoby. III. Pp. 400. Leipzig: Teubner. 3 m.

GARDTHAUSEN (V.). Augustus und seine

Zeit. I; II, 1. Pp. 481, 276. Leipzig: Teubner. 10 & 6 m.

GOYAU (G.). Chronologie de l'empire romain, publiée sous la direction de R. Cagnat. Pp. lix, 537. Paris: Klincksieck. 12mo. 6 f.

HEADLAM (J. W.). Election by lot at Athens: (Cambridge Historical Essays, IV.) Pp. 186. Cambridge: University Press. 2/6.

INSCRIPTIONUM Latinarum, Corpus. XV: Inscriptiones urbis Romae Latinae. Instrumentum domesticum. Ed. H. Dressel. I. Pp. 489. Berlin: Reimer. Folio. 55 m.

LUEBECK (E.). Das Seewesen der Griechen und Römer. II. Pp. 48, 3 plates. Hamburg: Herold. 4to. 3 m.

PAFFERTZ (R.). Thurii, seine Entstehung und seine Entwicklung bis zur sicilischen Expedition. Pp. 70. Berlin: Gaertner. 1-80 m.

SCHVARCZ (J.). Aristoteles und die *'Αθηναίων πολιτεία* auf dem Papyrus des British Museums. Pp. 25. Leipzig: Friedrich. 1 m.

SMITH (W.), WAYTE (W.), & MARINDIN (G. E.). Dictionary of Greek and Roman antiquities. 3rd ed., revised and enlarged. II. Pp. 1070. London: Murray. 31/6.

IV. ECCLESIASTICAL HISTORY

ANCINA (John Juvenal), companion of St. Philip Neri, Life of. Ed. by C. H. Bowden. London: Paul, Trübner, & Co. 9/.

BEAUSÉJOUR (abbé de). Le monastère de Luxeuil: l'église abbatiale; étude historique et archéologique. Pp. 106, illustr. Besançon: imp. Jacquin.

BEER (R.). Die Quellen für den Liber diurnus concilii Basiliensis des Petrus Bruneti. Pp. 16. Leipzig: Freytag. 40 pf.

CEPARI (V.). Das Leben des heiligen Aloysius Gonzaga aus der Gesellschaft Jesu, übersetzt und durch einen Nachtrag vervollständigt von F. Schröder. Pp. xxxi, 468, illustr. Einsiedeln: Benziger. 10 f.

DELEHAYE (H.). Pierre de Pavie, légat du pape Alexandre III en France. Pp. 61. Brussels: Vromant.

DRANE (Augusta T.). The history of St. Dominic, founder of the friars preachers. Pp. 485 plates. London: Longmans. 15/.

FINKE (H.). Ungedruckte Dominikanerbriefe des dreizehnten Jahrhunderts. Pp. 176. Paderborn: Schöningh. 5 m.

FUNKE (P.). Papst Benedikt XI: eine Monographie (Kirchengeschichtliche Studien. I, 1). Pp. 151. Münster: Schöningh. 2-60 m.

KAWERAU (W.). Thomas Murner und die deutsche Reformation. (Schriften des Vereins für Reformationsgeschichte. XXXII.) Pp. 109. Halle: Niemeyer. 1-20 m.

KORZENIOWSKI (I.). Excerpta ex libris manu scriptis archivi consistorialis Romani [1409-1590]. Pp. 151. Cracow: Gebethner.

LUDWIG (D. A.). Quellenbuch zur Kirchengeschichte. I: Bis zur Alleinherrschaft Konstantins des Grossen. Pp. 331. Davos: Richter. 6 f.

MARTENS (W.). War Gregor VII Mönch? Beleuchtung der diese Frage bejahenden herrschenden Meinung. Pp. 52. Danzig: Homann. 65 pf.

MÖLLER (W.). Lehrbuch der Kirchen-

- geschichte. II: Das Mittelalter. Pp. 560. Freiburg: Mohr. 6-50 m.
- MUSSAFIA (A.) Studien zu den mittelalterlichen Marienlegenden. IV. Pp. 85. Vienna: Tempsky. 1-70 m.
- NÜRNBERGER (A.) Ueber eine ungedruckte Kanonensammlung aus dem achten Jahrhundert. Recensio collectionis canonum, quae continetur in codice Sangermanensi 938, una cum specimenibus integris. Pp. 80. Mainz: Kupferberg. 1-20 m.
- PUECH (A.) Saint Jean Chrysostome et les mœurs de son temps. Paris: Hachette. 7-50 f.
- ROLAND's (nachmals Papstes Alexander III) Sentenzen, zum ersten Male herausgegeben von A. M. Gietl. Pp. lxx, 332. Freiburg: Herder. 9 m.
- RIGAL (U.) Grégoire VII et ses réformes ecclésiastiques. Pp. 92. Le Vigan: Imprimerie vignaise.
- ROZIER (L.) Agobard de Lyon: sa vie et ses écrits. Pp. 64. Montauban: imp. Granié.
- SACHSSE (H.) Bernardus Guidonis Inquisitor und die Apostelbrüder: ein Beitrag zur Entstehungsgeschichte der Practica. Pp. 58. Rostock: Leopold. 2 m.
- SCULLARD (H. H.) Martin of Tours, apostle of Gaul. Pp. xxix, 173. Manchester: Heywood.
- SIMONSFELD (H.) Analekten der Papst- und Konziliengeschichte im vierzehnten und fünfzehnten Jahrhundert. Pp. 56. Munich: Franz. 4to. 1-70 m.
- STUDIA biblica et ecclesiastica: essays chiefly on biblical and patristic criticism by members of the university of Oxford. III. Pp. 322, facsimiles. Oxford: Clarendon Press. 16/.
- VARNHAGEN (H.) Zur Geschichte der Legende der Katharina von Alexandrien; nebst lateinischen Texten nach Handschriften der Hof- und Staatsbibliothek in München und der Universitätsbibliothek in Erlangen. Pp. 50. Erlangen: Junge. 1-50 m.

V. MEDIEVAL HISTORY

- CHRONICA minora saeculorum IV, V, VI, VII. Ed. T. Mommsen. I, 1. (Monumenta Germaniae historica. Auctorum antiquissimorum tom. IX.) Pp. 339. Berlin: Weidmann. 4to. 11 m.
- CONRAT (M.) Geschichte der Quellen und Literatur des römischen Rechts im früheren Mittelalter. I, 4. Pp. 547-645. Leipzig: Hinrichs. 4 m.
- CONSTANS (L.) Historiens du moyen âge: notices et extraits d'après les meilleurs textes, avec des notes et un glossaire. Pp. xxxvi, 208. Paris: Delagrave. 18mo. 1-50 f.
- DUBOIS (Pierre). De recuperatione terre sancte: traité de politique générale, publié d'après le manuscrit du Vatican par C. V. Langlois. (Collection de textes pour servir à l'étude et à l'enseignement de l'histoire. IX.) Paris: A. Picard. 2-75 f.
- FUSTEL DE COULANGES. Histoire des institutions politiques de l'ancienne France: l'invasion germanique et la fin de l'empire, revue et complétée sur le manuscrit et d'après les notes de l'auteur par C. Jullian. Paris: Hachette. 7-50 f.
- GANTER (H.) Bezelin von Billingen und seine Vorfahren: ein Beitrag zur Frage der Abstammung der Zähringer und Habsburger und der ihnen verwandten Geschlechter. Pp. 159, tables. Lahr: Schauenburg. 12mo. 3 m.
- HEYCK (E.) Geschichte der Herzoge von Zähringen. Pp. 607. Freiburg: Mohr. 16 m.
- HUGUES (L.) Storia della geografia e delle scoperte geografiche. II: la geografia nel medio evo, dal quarto secolo dell'era volgare alla scoperta del Capo di Buona Speranza. Pp. 271. Turin: Loescher. 3-50 l.
- JOACHIMSOHN (P.) Gregor Heimburg. (Historische Abhandlungen aus dem Münchener Seminar. I.) Pp. 328. Bamberg: Buchner. 8 m.
- MATHIAE CORVINI, Hungariae regis, epistolae ad Romanos pontifices datae et ab eis acceptae [1458-1490]. (Monumenta Vaticana historiam regni Hungariae illustrantia. Ser. I. VII.) Pp. lxxv, 277, plates. Würzburg: Woerl. 10 m.
- ORSI (P.) Le paure del finimondo nell'anno 1000. Pp. 31. Turin: Roux. 1 l.
- SAUPE (H. A.) Der Indiculus superstitionum et paganiarum: ein Verzeichniss heidnischer und abergläubiger Gebräuche und Meinungen aus der Zeit Karls des Grossen, aus zumeist gleichzeitigen Schriften erläutert. Pp. 34. Leipzig: Hinrichs. 4to. 1 m.
- SCHULTESS (K.) Papst Silvester II (Gerbert) als Lehrer und Staatsmann. Pp. 55. Hamburg: Herold. 4to. 2-50 m.
- STÜCKELBERG (E. A.) Der Constantinische Patriat: ein Beitrag zur Geschichte der späteren Kaiserzeit. Pp. 131. Basel: Georg.
- WITTE (H. N.) Deutsche und Keltoromanen in Lothringen nach der Völkerwanderung; die Entstehung des deutschen Sprachgebietes. (Beiträge zur Landes- und Volkskunde von Elsass-Lothringen. XV.) Pp. 100, map. Strassburg: Heitz. 2-50 m.
- ZISTERER (A.) Gregor X und Rudolf von Habsburg in ihren beiderseitigen Beziehungen. Pp. 170. Freiburg: Herder. 3 m.

VI. MODERN HISTORY

- AUSTRIA.—Recueil des traités et conventions conclus par l'Autriche-Hongrie avec les puissances étrangères. Nouvelle suite. XIII. Pp. 628. Vienna: Fromme. 28 m.
- BODEMANN (E.) Aus den Briefen der Herzogin Elisabeth Charlotte von Orléans an die Kurfürstin Sophie von Hannover. 2 vol. Pp. 439, 412, portrait. Hanover: Hahn. 20 m.
- BROCK (L.) Die Brandenburger bei Szlankamen und im Türkenkriege [1691–1697]. Pp. xx, 37. Rathenow: Babenzien. 80 pf.
- BROGLIE (duc de). Maurice de Saxe et le marquis d'Argenson. 2 vol. Paris: C. Lévy. 15 f.
- DUHAMEL (L.) Documents sur la réunion d'Avignon et du Comtat-Venaissin à la France [1790–1791]. Pp. 133. Paris: Picard. 3 f.
- FITTE (S.) Das staatsrechtliche Verhältnis des Herzogthums Lothringen zum deutschen Reich seit dem Jahre 1542. (Beiträge zur Landes- und Volkskunde von Elsass-Lothringen. XIV.) Pp. 103, map. Strassburg: Heitz. 2·50 m.
- FRANCE, Recueil des traités de la, publié par J. de Clercq. XVII: [1886–1887]. Paris: Pedone-Lauriel. 25 f.
- FRICKE (G.) Der bayerische Feldmarschall Alessandro Marchese Maffei: ein Beitrag zur Geschichtsschreibung und zur Geschichte der Türkenkriege und des spanischen Erbfolgekrieges. Pp. 54. Leipzig: Fock. 4to. 1·50 m.
- GRIESSDORF (J.) Der Zug Kaiser Karls V gegen Metz [1552]. (Halle'sche Abhandlungen zur neueren Geschichte. XXVI.) Pp. 55. Halle: Niemeyer. 1·20 m.
- JÄHNS (M.) Geschichte der Kriegswissenschaften, vornehmlich in Deutschland. (Geschichte der Wissenschaften in Deutschland. Neuere Zeit. XXI.) III: Achtzehntes Jahrhundert seit dem Auftreten Friedrichs des Grossen [1740–1800]. Pp. xlviii, 1767–2915. Munich: Oldenbourg. 16 m.
- LE HERBEC (Daniel), de Laval, Voyages aux Antilles, aux Pays-Bas, et en Italie [1642–1644]; manuscrits publiés par L. de la Beauluère. Avec des notes de E. Moreau. Paris: E. Lechevalier. 3·50 f.
- MARKHAM (captain A. H.) Life of sir John Franklin, and the North-West Passage. Pp. 324, maps, &c. London: Philip. 4/6.
- MASSLOWSKI. Der siebenjährige Krieg nach russischer Darstellung. II: Der Feldzug des Grafen Fermor in den östlichen Gebieten von Preussen [1757–1759]. Uebersetzt von A. von Drigalski. Pp. 391, maps. Berlin: Eisenschmidt. 12 m.
- MORRIS (W. O'C.) Great commanders of modern times and the campaign of 1815. Pp. 366. London: Allen. 21/.
- MÜLLER (W.) Politische Geschichte der Gegenwart. XXIV: Das Jahr 1890. Pp. 323. Berlin: Springer. 4 m.
- PIERLING (père). La Russie et l'orient; mariage d'un tsar au Vatican; Ivan III et Sophie Paléologue. (Bibliothèque Slave Elzévirienne. IX.) Paris: Leroux. 2·50 f.
- PIERRON (général). Napoléon, de Dresde à Leipzig: étude stratégique. Pp. 40, map. Paris: Baudoin. 1·25 f.
- REQUESENS (Luis de), Primeros diez meses de la embajada de, en Roma [1563–1564]. (Colección de libros españoles raros ó curiosos. XX.) Pp. 452. Madrid: impr. de Marco. 10 pes.
- REYMOND (M. von). Die Kriege von 1864 und 1866. Pp. 670, maps. Berlin: Pauli.
- ROLOFF (G.) Politik und Kriegführung während des Feldzuges von 1814: ein Beitrag zur Geschichte der Freiheitskriege. Pp. 92. Berlin: Mayer & Müller. 1·60 m.
- ROMAGNY (C.) Guerre franco-allemande de 1870–1871. With atlas in 4to of 18 maps. Paris: Lavauzelle. 10 f.
- SAVOY.—Relazioni diplomatiche della monarchia di Savoia dalla prima alla seconda restaurazione [1559–1814] pubblicate da A. Manno ed E. Ferrero. III: [1717–1719]. Pp. 391. Turin: Bocca.
- SCHIEBERT (J.) Der Krieg zwischen Frankreich und Deutschland in den Jahren 1870–1871. Pp. 400, maps. Berlin: Pauli.
- STRINDBERG (A.) Les relations de la France avec la Suède jusqu'à nos jours: esquisses historiques des relations des deux pays. Paris: Nilsson. 6 f.
- THOUVENEL (L.) Nicolas I et Napoléon III; les préliminaires de la guerre de Crimée [1852–1854], d'après les papiers inédits de M. Thouvenel. Paris: C. Lévy. 7·50 f.
- TROSKA (F.) Die Publizistik zur sächsischen Frage auf dem Wiener Kongress. (Halle'sche Abhandlungen zur neueren Geschichte. XXVII.) Pp. 48. Halle: Niemeyer. 1·20 m.
- VENICE.—Despatches of Michele Suriano and Marc' Antonio Barbaro, Venetian ambassadors at the court of France [1560–1563]. Ed. by sir H. Layard. (Publications of the Huguenot Society of London. VI.) Pp. 107, clvi. Lymington. 4to.
- WIESENER (L.) Le régent, l'abbé Dubois, et les Anglais, d'après les sources britanniques. Pp. 519. Paris: Hachette. 7·50 f.

VII. FRENCH HISTORY

- AFFRE (H.)** Les Camisards en action: lettres du prieur de Miellet. Pp. 151. Rodez: Carrère.
- AUTON (Jean de).** Chroniques de Louis XII, publiées par R. de Maulde. II: Pp. 410. Paris: Laurens. 9 f.
- BEZOLD (G. von).** Die Entstehung und Ausbildung der gothischen Baukunst in Frankreich: Beiträge zur Denkmalkunde und zur Entwicklungsgeschichte des Stils. Berlin: Ernst. 10 m.
- BLED (V. du).** Orateurs et tribuns [1789-1794]. Pp. 324. Paris: C. Lévy. 18mo. 3-50 f.
- BOUCHARD (L.)** Système financière de l'ancienne monarchie. Pp. 506. Paris: Guillaumin. 12 f.
- BOULAY DE LA MEURTHE (comte).** Documents sur la négociation du Concordat et sur les autres rapports avec le Saint-Siège [1800-1801]. I. Paris: Leroux. 7-50 f.
- BOUREUILLE (L. de).** Antoinette de Bourbon, duchesse de Guise, au temps des rivalités entre Bourbons et Lorrains. Pp. 46. Saint-Dié: imp. Humbert.
- BROC (vicomte de).** La France pendant la révolution. 2 vol. Pp. 423, 452. Paris: Plon. 15 f.
- CABOCHENNE,** L'ordonnance [26-27 mai 1413], publiée avec une introduction et des notes par A. Coville. (Collection de textes pour servir à l'étude et à l'enseignement de l'histoire. VIII.) Pp. 207. Paris: Picard. 3-50 f.
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- DELALAIN (P.)** Étude sur le libraire parisien du treizième au quinzième siècle, d'après les documents publiés dans le Cartulaire de l'Université de Paris. Paris: Delalain. 5 f.
- DELOCHE (M.)** Le jour civil et les modes de computation des délais légaux en Gaule et en France depuis l'antiquité jusqu'à nos jours. Pp. 73. Paris: Klincksieck. 4to.
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- GAUTHIER (J.)** Besançon [1774-1791]: chronique d'un contemporain anonyme. Pp. 32. Besançon: imp. Jacquin.
- GONTAUT (duchesse de),** gouvernante des enfants de France pendant la restauration, Mémoires [1773-1836]. Paris: Plon. 7-50 f.
- GRUEL (G.)** Chronique d'Arthur de Richemont, connétable de France, duc de Bretagne [1393-1458], publiée par A. Le Vavasseur. Pp. xc, 322. Paris: Laurens. 9 f.
- HAMEL (E.)** Thermidor, d'après les sources originales et les documents authentiques. Pp. 369. Paris: Jouvet. 18mo. 3-50 f.
- HENRI IV,** Lettres inédites du roi, à M. de Béthune, ambassadeur de France à Rome [2 janvier-25 février 1602], publiées par E. Halphen. Pp. 47. Paris: Libr. des bibliophiles. 5 f.
- IMBART DE LA TOUR (P.)** Les élections épiscopales dans l'église de France du neuvième au douzième siècle. Pp. xxxi, 554. Paris: Hachette. 7-50 f.
- JARRY (L.)** Jean, bâtard d'Orléans: testaments, inventaire, et compte des obsèques. Pp. 131, illustr. Orléans: Herluison. 3 f.
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- LOMÉNIE (L. de).** Les Mirabeau: nouvelles études sur la société française au dix-huitième siècle. 2^e partie, continuée par son fils. IV, V. 2 vol. Paris: Dentu. 15 f.
- MARMOTTAN (P.)** Le général Fromentin et l'armée du Nord [1792-1794]. Map. Paris: Dubois. 7-50 f.
- MAULDE (R. de).** Histoire de Louis XII. I: Louis d'Orléans. III. Pp. 426. Paris: Leroux. 8 f.
- MAURY (cardinal).** Correspondance diplomatique et mémoires inédits [1792-1817] publiés par mgr. Ricard. Pp. lxxi, 520, 580. Lille: Société de Saint-Augustin. 15 f.
- MAVIDAL (J.) & LAURENT (E.)** Archives parlementaires de 1787 à 1860: recueil complet des débats législatifs et politiques des chambres françaises. 1^{re} série. XXXVI: [11 décembre 1791-1 janvier 1792]. Pp. 418. Paris: Dupont. 20 f.
- PÊCHEUR (abbé).** Annales du diocèse de Soissons. VIII. Soissons: Lechevalier. 7-50 f.
- PITON (C.)** Histoire de Paris: topographie, mœurs, usages, origines de la haute bourgeoisie parisienne; le quartier des Halles. Pp. 639, plates. Paris: Rothschild. 50 f.
- RAVAISSON (F.)** Archives de la Bastille: documents inédits. XVII: Règne de Louis XV [1757-1762]. Paris: Pedone-Lauriel. 10 f.
- REUSS (R.)** Histoire du gymnase protestant de Strasbourg pendant la révolution.

- tion [1789-1804], d'après des documents inédits. Paris: Fischbacher. 5 f.
- RICARD (général de), ancien aide-de-camp du roi Jérôme, Fragments des mémoires du, publiés par L. X. de Ricard. Paris: Savine. 12mo. 3-50 f.
- ROUSSE (E.) Mirabeau. (Les grands écrivains français.) Paris: Hachette. 12mo. 2 f.
- ROUX (X.) La révolution en Dauphiné: reproduction des documents de l'époque par le texte et la gravure. 28 plates. Paris: Lechevalier. 4to. 40 f.
- SEILHAC (V. de). Histoire politique du département de la Corrèze [1797-1830]. Pp. 648. Tulle: imp. Craufon.
- TALLEYRAND (prince de). Mémoires, publiés par le duc de Broglie. III. Paris: C. Lévy. 7-50 f.
- English translation, by Mrs. Angus Hall. III: Pp. 324, portrait. London: Griffith, Farran, & Co. 21/.
- TROUSSET (J.) Histoire d'un siècle. VII: [1815-1830]. Pp. 359, illustr. Paris: Libr. illustrée. 7-50 f.
- VALABRÈGUE (E.) La vie universitaire à Montpellier au seizième siècle: étude sur le Liber Procuratoris. Pp. 41. Montpellier: imp. Ricard.
- WELVERT (E.) La saisie des papiers du conventionnel Courtois [1816]: testament de Marie-Antoinette, papiers de Robespierre, lettres du comte de Provence. Pp. 50. Paris: Bourloton.

VIII. GERMAN HISTORY

(Including AUSTRIA-HUNGARY)

- ALTAHENSES, Annales maiores ex recensione W. de Giesebrecht, ed. E. L. B. ab Oefele. Ed. II. Pp. xxi, 105. Hanover: Hahn. 1-60 m.
- ALTMANN (W.) & BERNHEIM (E.) Ausgewählte Urkunden zur Erläuterung der Verfassungsgeschichte Deutschlands im Mittelalter. Pp. 270. Berlin: Gaertner. 3-40 m.
- BAHRDT (W.) Geschichte der Reformation der Stadt Hannover. Pp. 142. Hanover: Hahn. 2-40 m.
- BANASCH (R.) Die Niederlassungen der Minoriten zwischen Weser und Elbe im dreizehnten Jahrhundert. Pp. 57. Breslau: Koebner. 1-20 m.
- BILLING's (Sigmund). Kleine Chronik der Stadt Colmar, herausgegeben von A. Waltz. Pp. 374, illustr. Colmar: Barth. 4 m.
- BIOGRAPHIE, Allgemeine Deutsche. XXXI. Pp. 795. Leipzig: Duncker & Humblot. 12 m.
- EBERL (F.) Studien zur Geschichte der Karolinger in Bayern. Pp. 68. Straubing: Hirner. 2 m.
- FÜRSTENBERGISCHES Urkundenbuch. VI, VII: Quellen zur Geschichte der fürstenergischen Lande in Schwaben [1360-1509]. Tübingen: Laupp. 4to. Each 12 m.
- GOETTE (R.) Geschichte der deutschen Einheitsbewegung im neunzehnten Jahrhundert. I: Das Zeitalter der deutschen Erhebung [1807-1815]. Pp. 409. Gotha: F. A. Perthes. 7 m.
- HAYM (R.) Das Leben Max Dunckers erzählt. Pp. 470, portrait. Berlin: Gaertner. 10 m.
- HINNESCHIEDT (D.) Die Politik König Wenzels gegenüber Fürsten und Städten im Südwesten des Reiches. I: Von seiner Wahl bis zum Vertrag zu Heidelberg [1384]. Pp. 32. Leipzig: Fock. 4to. 1-20 m.
- KNÖPFLE (A.) Die Kelchbewegung in Bayern unter Herzog Albrecht V: ein Beitrag zur Reformationsgeschichte des sechzehnten Jahrhunderts. Pp. 223, 132, plate. Munich: Stahl. 6 m.
- KRONES (F., Ritter von). Feldzeugmeister Josef Freiherr von Simbschen [1810-1818]; sein kriegrechtlicher Prozess und seine Rehabilitation. Pp. 114. Vienna: Tempsky. 1-60 m.
- LAMEY (F.) Hermann von der Hardt in seinen Briefen und seinen Beziehungen zum Braunschweigischen Hofe, zu Spener, Francke, und dem Pietismus. Pp. 44. Karlsruhe: Groos. 1-50 m.
- LINDENSCHMIT (L.) Die Alterthümer unserer heidnischen Vorzeit. IV, 8. Pp. 14, plates. Mainz: V. von Zabern. 4 m.
- LOSERTH (J.) Die Stadt Waldshut und die vorderösterreichische Regierung [1523-1526]: ein Beitrag zur Geschichte des Bauernkrieges und der Reformation in Vorderösterreich. Pp. 149. Vienna: Tempsky. 2-10 m.
- LULVÈS (J.) Die Summa cancellariae des Johann von Neumarkt: eine Handschriftenuntersuchung über die Formularbücher aus der Kanzlei Kaiser Karls IV. Pp. 127. Berlin: Mayer & Müller. 3 m.
- MEISNER (H.) Die Herzogin Maria Anna von Bayern und der preussische Reichstagsgesandte von Schwarzenau: ein Beitrag zur Geschichte der preussischen Diplomatie [1778-1785]. Pp. 34. Jauer: Guericke. 1 m.
- MEYER (C.) Geschichte der Provinz Posen. Pp. 371. Gotha: F. A. Perthes.
- MÜLLENHOFF (K.) Deutsche Alterthums-kunde. V, 2. Pp. 359-417. Berlin: Weidmann. 2 m.
- NEUBAUER (E.) Wallenstein und die Stadt Magdeburg. Pp. 246. Magdeburg: Rathke. 3 m.
- OHLY (F.) Königtum und Fürsten zur Zeit Heinrichs IV, nach der Darstellung gleichzeitiger Geschichtsschreiber. II. Pp. 50. Leipzig: Fock. 1 m.

- PLÖN, Urkundenbuch zur Chronik der Stadt. Pp. 620, plates. Plön: Hahn. 10 m.
- POMMERSCHES Urkundenbuch. III. Bearbeitet von R. Prümers. Pp. 728. Stettin: Nagel. 12 m.
- RICHTER (O.) Verfassungs- und Verwaltungsgeschichte der Stadt Dresden. II, III: Verwaltungsgeschichte. Pp. 376, 402, map. Dresden: Baensch. 12 m.
- RIEZLER (S.) Gedächtnisrede auf Wilhelm von Giesebrecht. Pp. 59. Munich: Franz. 4to. 1·80 m.
- RUPPERT (P.) Konstanzer geschichtliche Beiträge. II. Pp. 104. Constance: Sartori. 3 m.
- SCHREIBER (W.) Geschichte Bayerns in Verbindung mit der deutschen Geschichte. II: Vom österreichischen Erbfolgekrieg bis auf die Gegenwart. Pp. 847. Freiburg: Herder. 8 m.
- SCHROLL (B.) Hieronymus Marchstaller, Abt des Benedictiner-Stiftes St. Paul im Lavantthale [1616-1638]. Pp. 309, portrait. Klagenfurt: Raunecker. 4 m.
- SYBEL (H. von) & SICKEL (T. von). Kaiserurkunden in Abbildungen. XI. Pp. 461-546, 4to; & 30 plates, folio. Berlin: Weidmann.
- TAYSEN (A. von). Die äussere Erscheinung Friedrichs des Grossen und der nächsten Angehörigen seines Hauses. Pp. 60, portraits. Berlin: Mittler. 4to. 6 m.
- TROST (L.) König Ludwig I von Bayern in seinen Briefen an seinen Sohn, den König Otto von Griechenland. Pp. 202. Bamberg: Buchner. 6 m.
- ULMANN (H.) Kaiser Maximilian I auf urkundlicher Grundlage dargestellt. II. Pp. 790. Stuttgart: Cotta. 14 m.
- WERNIGERODE, Urkundenbuch der Stadt, bis zum Jahre 1460; bearbeitet von E. Jacobs. (Geschichtsquellen der Provinz Sachsen und angrenzender Gebiete. XXV.) Pp. 604, illustr. Halle: Hendel. 12 m.
- ZELLER (J.) Histoire d'Allemagne: la réforme; Jean Huss; Martin Luther; premiers empereurs de la maison d'Autriche. Pp. 427. Paris: Perrin. 7·50 f.

IX. HISTORY OF GREAT BRITAIN AND IRELAND

- BAILDON (W. P.) Select civil pleas, ed. by. I: 1200-1203. Pp. 128. London: Selden Society. 4to.
- BIOGRAPHY, Dictionary of national. Ed. by S. Lee. XXVIII: *Howard—Inglethorp*. London: Smith, Elder, & Co. 15/.
- BELLESEHEIM (A.) Geschichte der katholischen Kirche in Irland von der Einführung des Christenthums bis auf die Gegenwart. III: [1690-1890]. Pp. xxxvi, 782, map. Mainz: Kirchheim. 17·40 m.
- CANTERBURY.—The registers of the Wallon or strangers' church in Canterbury. Ed. by R. Hovenden. (Publications of the Huguenot Society of London. V.) I. Pp. 304. Lymington. 4to.
- CLARKE (William), secretary to the council of the army [1647-1649] and to general Monck and the commanders of the army in Scotland [1651-1660], Selections from the papers of. Ed. by C. H. Firth. I. London: Camden Society. 4to.
- COMMITTEE for compounding, &c., Calendar of the proceedings of the, [1643-1660]. Ed. by Mary A. Everett Green. III: Cases, 1647-June 1650. Pp. 1637-2391. London: H. M. Stationery office. 15/.
- DAVIDSON (R. T.) & BENHAM (W.) The life of Archibald Campbell Tait, archbishop of Canterbury. 2 vol. Pp. 1140. London: Macmillan. 30/.
- DORÉAU (V. M.) Origines du schisme d'Angleterre; Henri VIII et les martyrs de la Chartreuse de Londres. Pp. 438. Paris: Retaux-Bray. 12 f.
- HENRY VIII, Letters and papers, foreign and domestic, of the reign of; arranged and catalogued by J. Gairdner. XII, 2: 1537. Pp. xli, 727. London: H.M. Stationery office. 15/.
- HISTORICAL manuscripts commission. Twelfth report. Appendix. VIII: Manuscripts of the duke of Athole and earl of Home. London: H.M. Stationery office. 1/.
- IX: Manuscripts of the duke of Beaufort, earl of Donoughmore, and others. 2/6.
- X: Manuscripts and correspondence of James, first earl of Charlemont. 1/11.
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G. PAGES: *The brothers Formont*, correspondents of the Great Elector at Paris [from documents in the Berlin archives].—A. BABEAU: *State intervention and primary instruction in Provence under the regency* [tracing the results of the edict of 1698].—P. ROBIQUET: *The municipality of Paris during the revolution* [14 July 1789-10 August 1792, from 'Le Personnel municipal de Paris pendant la révolution,' by the same writer.]

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G. KURTH: *Queen Brunhild* [a detailed study leading to a favourable judgment of her character and aims].—A. TOUGARD: *The iconoclastic persecution*, after the correspondence of St. Theodore Studites.—P. FERET: *The imprisonments of Roger Bacon* [arguing that the first so-called imprisonment was his enforced removal from England to Paris, and the second was a like removal probably to the same place].—E. ALLAIN: *The inquiry into schools in 1791-1792*.—A. J. DELATRE: *The Chaldeans* [a reply to H. Winckler].—L. RIOULT DE NEUVILLE: *The origin of property according to E. de Laveleye* [arguing against his theory of community].—E. VACANDARD: *The date of the council of Sens* [maintaining 1140 against S. M. Deutsch's contention in favour of 1141].

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1, 2.—L. DUCHESNE: *The 'Liber diurnus' and papal elections in the seventh century* [arguing from the usage indicated in the section of the 'Liber diurnus' which T. von Sickel distinguishes as the 'second collection,' and places in the time of Hadrian I, that this section was written soon after 682].—F. LOT: *A forged charter of Adalbero, archbishop of Rheims* [of 972, known from the 'Chron. monast. Mosom.,' and now discovered in a Paris manuscript of the twelfth century pur-

porting to be the original], with the text.—C. KOHLER and C. V. LANGLOIS print seven unpublished letters [1275-1307] concerning the crusades, from manuscripts in the Record Office and the British Museum.—A. BRUEL prints *visitations of Cluniac monasteries in the province of Auvergne* [1264-1353-4], with a chronological table of visitations [1278-1483] and an index.—A. DE BARTHÉLEMY: *The coins of the seigneurs de Beaufremont* [detecting a forged diploma of Frederick I of 1178, here printed with a forged *vidimus* of 1360, and giving a document of 1444 relating to a charge of coining false money brought against Pierre de Beaufremont].—B. DE MANDROT: *On the authorship of the 'Chronique scandaleuse' of Louis XI* [arguing on the ground of the subscription to the Paris manuscript, Fr. 5062, that it was written by Jean de Roye (not Troyes), secretary to John II, duke of Bourbon].

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July.—D. BIKÉLAS: *Philhellenism in France*.—DE GABRIAC: *Talleyrand's justification of himself concerning the murder of the duc d'Enghien* [a portion of the memoirs of Talleyrand].—FRANKÖI: *The foreign policy of Mathias Corvinus* [1464-1470].—L. BAUDRAN prints a letter of the constable de Montmorency to the city of Strassburg [29 April 1552].—H. DONIOL: *A report of the chevalier de la Luzerne, French agent at Philadelphia, on the political, military, and commercial situation of the United States at the end of 1781* [describing the state of affairs after the surrender of Cornwallis at Yorktown, and insisting on the importance of further French aid].—J. DARCY: *On Talleyrand's memoirs*.

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Politiques, vi. 3. July.—A. VANDAL: *France and Russia during the campaign of 1809* [showing that the reluctance of Russia to perform its promised part in the war, and Alexander's dissatisfaction with the terms of the treaty of Schoenbrunn, were fatal to the

cordiality of the alliance between Napoleon and Alexander. The foundation of the grand-duchy of Warsaw and Alexander's fear of the revival of Poland were the original source of this reluctance].—R. STOURM: *Bibliography of French finance during the eighteenth century*. IV: The period of the Directory.—J. CRUCHON: *The Newfoundland question* [sketching the history of French fishing rights over Newfoundland].—V. MARCÉ: *The organisation of the audit of public accounts in England*.—A. BARAUDON: *Victor Amadeus I of Sicily and the triple alliance* [1715–1717, on the failure of his attempts to procure allies, and the Spanish conquest of Sardinia]. **Bulletin de la Société de l'Histoire du Protestantisme Français**, xl. 5, 6. May–June.—P. DE FÉLICE: *The old university of Béarn*.—N. WEISS: *Jeanne d'Albret and the catholics* [with

the text of her 'Règlement concernant la R. P. R. pour le Béarn,' 1566].—Various contributions to the history of protestantism in Béarn.—7. July.—J. PANNIER: *The law of 15 December 1790 on the property of protestant fugitives*, continued.—*The autobiography of Jacques Cabrit* [1669–1751], sixth article [1704–1705].—*Documents on huguenot history*.

Revue Critique d'Histoire et de Littérature. 25 May.—A. CHUQUET: *Talleyrand's memoirs*.—8 June.—C. PRISTER: *Denis' 'Fin de l'indépendance bohème'*.—15.—J. HALÉVY: *Eldad the Danite* [on A. Epstein's edition].—*French ballad against the English and in honour of Joan of Arc* [composed apparently in 1429, and recently discovered by P. Meyer at Valence].—July 6.—A. CHUQUET: *Cavaignac's 'Formation de la Prusse contemporaine'*.

II. GERMANY AND AUSTRIA

Sybel & Lehmann's **Historische Zeitschrift** (Munich), lxi. 3.—P. KEHR: *On the history of Otto III* [bringing into prominence the value of documents as illustrative of the political history; the activity of the sovereign, the development and *personnel* of the chancery, the influence of particular persons in the state (as shown by their intervention in charters), and thus the relations of parties and interests at different times].—O. MEINARDUS: *Contributions to the history of the commercial policy of the Great Elector*.—T. WIEDEMANN: *On the date of Henry duc de Rohan's tract 'De l'intérêt des princes et états de la Chrestienté'* [5 Aug. 1634].

Historisches Jahrbuch (Munich), xii. 2.—H. J. SCHMITZ: *The vicariate of Arles*, second article [the extent of its powers, and its relation to Rome, specially in the fifth century].—K. EUBEL: *The antipope Nicolas V* [Peter Rainalducci of Corvara] and his hierarchy.—N. PAULUS: *Johann von Staupitz and his supposed protestant inclinations* [giving reasons against the supposition].—A. KNEER: *On the earlier life of Innocent VII* [from the manuscript 'Epistola de schismate' of Peter de Anchorano].—P. JOACHIMSOHN: *A pamphlet against the emperor Frederick III* [1470, describing a new text of the tract printed by K. Haselbach (1864) as a 'Vorstellung der Stände von Krain an Kaiser Friedrich IV über die Türkennot,' and by J. Zahn (1869) as 'Maueranschlag wider Kaiser Friedrich III'].—

Quidde's **Deutsche Zeitschrift für Geschichtswissenschaft** (Freiburg), v. 1.—L. HUBERT: 'Friede' and 'recht' [their philological affinities, definition,

and early usage], a study in comparative law and philology.—H. von KAPPEL: *Bajulus, podestà, consules* [arguing for the continuance under Norman rule in southern Italy and Sicily of the Byzantine provincial forms of government which were there at the time of the conquest. The name and office of the catapan, strategus, or bajulus passed to the Norman bailli; and it is urged that the podestà of northern Italy is borrowed from the ἐξουσιαστής, which occurs as a synonym for bajulus. Further, the consules of the Italian cities are traced to the Byzantine 'consules de mari' through the intermediate stage of officers bearing the title of consules (at Gaeta) and representing the commercial interests of a trading port. An excursus is added on the use of the word 'Italy' as a synonym for the Langobardic theme, and another on the influence of Byzantine-Norman methods of administration upon the development of the functions of the bailli in France and the sheriff in England].—O. HARTWIG: *A generation of Florentine history* [1250–1292], third article, continued from vol. ii. 1.—M. BROSCHE: *Queen Elizabeth and Leicester* [accepting J. Gairdner's vindication of them ('English Historical Review,' i. 235–259) in the affair of Amy Robsart, examining foreign opinions and rumours at the time, and arguing that the queen had never any serious intention of marrying Leicester].—C. KÖHNE and G. VON BELOW continue from vol. iv. 1 a controversy on the origin of the German town-constitution.—E. SACKUR: *The forged documents of Waulsort* [with reference to the abbé Lahaye's monograph on the

- abbey].—G. SOMMERFELDT: *On the biography of John of Cermenate* [in criticism of the preface to L. A. Ferrai's edition of his chronicle].—M. FRÄNKEL: *Aristotle on the constitution of Athens*.—K. MAURER: *Survey of literature on the history of Iceland*.—A. MOLINIER: *Works on French medieval history*.—O. MASSLOW: *Bibliography of German history*.—2.—O. HARTWIG: *A generation of Florentine history* [1250–1292], fourth article; concluded [with a document of 1288].—F. ARNHEIM: *Contributions to the history of the northern question in the second half of the eighteenth century*, continued from vol. ii. 2. III: The Russian project of a Swedish alliance [1763–1765], and the state of parties in Sweden. IV: The diet of Stockholm [1765–1766] and the European powers.—W. BRÖCKING: *Bishop Eusebius of Angers' abandonment of Berengar of Tours* [showing that it was not until after his condemnation by the Roman synod of 1079].—A. CHROUST prints a letter of the Hussite leaders to Sigismund [6 April 1429, throwing light upon the negotiations at Pressburg].—A. STERN reprints a letter by Paul Usteri concerning K. E. Oelsner [from a Swiss newspaper of 1799].—H. VANČURA: *Recent Czech historical publications*.—F. LIEBERMANN: *Recent publications on British history during the middle ages* [with special sections on Celtic history, antiquities, and mythology].
- Neues Archiv der Gesellschaft für ältere Deutsche Geschichtskunde** (Hanover), xvi. 3.—F. KURZE: *Supplementary notes on the sources of Thietmar* [arguing that he used the (lost) 'Annales Hildesheimenses maiores' from 975 probably at least down to 1012, and also a Hildesheim manuscript of Regino, without the continuation, which was known in the time of Meibom].—O. HOLDER-EGGER: *On the historical works of Johannes Codagnellus of Piacenza*. VI: *His chronicle*, continued [giving the text of his 'istoria Lombardorum,' &c. down to Charles the Great, illustrative of the fables that passed for history in his day, with notes on the sources of the following portions of the work and an account of the manuscript].—A. CHROUST describes a new manuscript of the 'Historia de expeditione Friderici imperatoris' attributed to Ansbart [a considerable fragment written c. 1200, now preserved at Graz].—F. THANER: *On the 'Liber canonum contra Heinricum IV'* [criticising the edition of M. Sdralek and contesting his ascription of the work to Altmann of Passau] and the letter of Wenrich scholasticus of Treves [giving readings from an Admont manuscript].—H. BRESSLAU: *On the manuscripts of the 'Chronicon Ebersheimense'* [none is known to be now in existence, but extracts at Strassburg furnish the means of establishing the relations of those from which the editions were made].—B. KRUSCH: *The oldest life of St. Leudegarius* [a fragment found in the Paris manuscript, Lat. 17002, and presenting what the writer believes to be one of the originals—the life by Ursinus being the other—from which the anonymous biographer drew his information], with extracts.—H. ZIMMER: *The orthography of the name 'Beda'* [holding that Beda was the usual, Baeda the archaïc, form in the eighth century].—O. HOLDER-EGGER: *On the 'Gesta abbatum Fontanellensium'* [giving a new collation].—W. WARTENBACH: *On the 'Annales Bertiniani'* [notes from the Meerman manuscript 1853, now at Berlin, illustrating the way in which the compiler of the Metz annals used those of St. Bertin].—K. E. H. KRAUSE: *On Widukind i. 12* [on the interpretation of the passage about 'Hirmin,' and the standard 'aquila' changed through Christian influence into 'angelus'].—W. ERBEN: *On the continuation of Regino of Prüm* [in connexion with Bavarian affairs, maintaining that Arnolf's son 'Eberhard' there mentioned is a mistake for his well-known son Arnolf, and showing that the forged letter of Leo VII (Jaffé-Loewenfeld 3614) is the only other evidence for Eberhard's existence].—O. HOLDER-EGGER: *On the spurious verses of St. Iovinus* [modelled on Boethius].—G. VON DER ROPP & F. W. E. ROTH: *Documents* [1205–1424].—R. STERNFELD prints a letter of king Ruprecht [26 May 1404].—R. DAVIDSOHN prints a document mentioning the registration of petitions in the papal chancery [1188–1192].
- K. B. Akademie der Wissenschaften zu München.** Sitzungsberichte der philol. philol. und hist. Classe, 1891, 1.—F. VON LÖHER: *The condition of the parts of Germany under Roman influence*. I: The relations of the populations. II: Roman conquests. III: The defences from Coblenz to Regensburg. IV: Roman partisans among the Germans. V: The soldiers as civilisers. VI: The effect of the conquest upon the country. VII: Roman influence in inner Germany.—J. FRIEDRICH: *On the supposed 'Elogium Liberii papae' in the Codex Corbeiensis* [arguing that it refers to a pope not of the fourth but of the sixth century, probably John I].—M. LOSSEN: *Two controversial works of the counter-reformation: 'De autonomia' [1586, by Andreas Erstenberger] and 'Incendium Calvinisticum' [1584, by Erasmus Fend], with documents [1574–1593].*

- 2. G. OEMICHEN : *Greek measures*. I: The small *iugerum*. II: The *plinthis* in Cyrene. III: The mile and *iugerum* in Syria. IV: The Roman mile.—E. FREIHERR VON OEFELE prints passages from *Andreas Felix von Oefele's memoirs* [1745].—T. HEIGEL : *The union of the Wittelsbach house* [15 May 1724], with the text of the treaties of 1728 and 1734.—H. VON BRUNN : *Obituary notice of Heinrich Schliemann* [† 26 Dec. 1890].—C. A. VON CORNELIUS : *Obituary notice of George Bancroft* [† 17 Jan. 1891].
- Archiv für Oesterreichische Geschichte** (Vienna), lxxvii. 1.—J. LOSERTH : *The town of Waldshut and the Austrian government* [1523-1526, based upon the manuscript remains of Josef, Ritter von Beck]. I: Balthasar Hubmaier and the beginnings of the reformation in Waldshut. II: Progress of the reformation there down to 1524. III: Hubmaier in Schaffhausen and unsuccessful negotiations between Waldshut and the government of Vorderösterreich. IV: The 'Züricher Zusatz' and further negotiations. V: The anabaptists in Waldshut. VI: Waldshut and the peasants' war. VII: The capture of the town; with an appendix of documents.—F., Ritter von KRONES : *Feldzeugmeister Josef, Freiherr von Simbschen* [1810-1818], his trial by court-martial and his restoration in rank, with five letters [1807-1815].
- Mittheilungen des Instituts für Oesterreichische Geschichtsforschung** (Innsbruck), xii. 2.—T. VON SICKEL : *On the diplomas of Otto III* [on the plan and progress of the edition for the 'Monumenta Germaniae historica', with reference to P. Kehr's work, 'Die Urkunden Otto III']. I: The Italian chancery down to 994. II: The empress Theophanu's last stay in Italy [only from 989 to 990].—M. TANGEL : *The so-called 'brevis nota' concerning the council of Lyons of 1245* [maintaining that this, the only existing record of the council written by an eyewitness, proceeded from the papal chancery and has an official value].—J. LOSERTH : *On the relation between English and Bohemian Wycliffites in the first twenty years of the fifteenth century* [printing two letters from sir John Oldecastle, lord Cobham, the one, 8 Sept. 1410, to Wok of Waldstein; the other, 7 Sept. (probably 1413), to king Wenceslaus].—A. F. PRIBRAM prints passages from an account written by a Frenchman of the court of Vienna in 1671 and 1672 [composed probably early in 1673].—J. VON SCHLOSSER : *The collection of seals in the Hofmuseum at Vienna*.—R. F. KAINDL : *The first collision between the Huns and the West Goths* [described by Ammianus Marcellinus, xxxi, 3, § 3. It probably took place in the valley of the Moldava].—H. LOERSON : *On the date of Frederick I's diploma for Aachen* (Stumpf 4061) [taking the regnal year 'xiii' to be a copyist's error for 'xiii,' and the date to be January 1166].—S. LASCHITZER : *'Oesterreichische Kunst-Topographie.'* I: Kärnten [a detailed criticism].
- Delbrück's *Preussische Jahrbücher* (Berlin), lxxvii. 6. June—Lieutenant-colonel R. WAGNER : *Rastatt, the fourth fortress of the confederation*, second article.—lxxviii. 1. July—THE SAME : *Rastatt*, concluded.—A. BAUER : *Aristotle on the constitution of Athens* [maintaining the work to be by Aristotle and giving a sketch of its contents].—2. August—A. LASSON : *Harnack's 'Dogmengeschichte,'* III.—*The acquisition of Cape colony by the English*.
- Zeitschrift der Deutschen Morgenländischen Gesellschaft** (Leipzig), xlv. 2.—P. HORN prints the *memorials of Shāh Tahmāsp I of Persia* [extracts from the work of Muḥammad Mehdi ibn Hādī Shīrāzī]; second part.—M. SCHREINER : *Notes on the chronicle of Joseph ben Isak Sambart and on Al-Sabti, the son of Hārūn al-Rashīd*.
- CHURCH HISTORY**
- Brieger's *Zeitschrift für Kirchengeschichte* (Gotha), xii. 3, 4.—O. SEECK : *The edict of Milan* [arguing that it is not an edict but a decree, drawn up not by Constantine but by Licinius, not at Milan but at Nicomedia, and relating not to a general toleration of Christianity but only to the east, as a reversal of the measures taken by Maximin].—R. BREYER : *The Arnoldists* [tracing them to Arnold of Brescia and examining their doctrines and distribution].—E. LEMPP : *St. Anthony of Padua*, third article, continued from vol. xi.—The late L. SCHWABE prints tracts of *Hans Denck the anabaptist*.—E. FÖRSTER : *Wycliffe as a translator of the Bible* [his method is that of his predecessors].—C. DE BOOR prints a *Notitia episcopatum* [more recent than Epiphanius, earlier than the seventh general council].—F. GESS prints *documents relating to the indulgence for St. Annaberg* [1516-1517], including an instruction of Tetzel.—K. HARTFELDER : *On Melancthon's 'Ratio discendi.'*—H. VIRCK : *Lübeck in 1536*, with a letter by Bugenhagen.—G. SCHLEUSNER : *On the beginnings of protestant marriage-law in the sixteenth century*, continued from vol. vi. III: Forms and declarations.—J. FICKER prints *documents relating to the religious negotiations of the diet of*

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Denifle & Ehrle's *Archiv für Literatur- und Kirchen-Geschichte des Mittelalters* (Freiburg), vi. 1.—F. EHRLÉ: *The oldest redactions of the general constitutions of the Franciscan order.* I: The relation of the general constitutions to the rule of the order; the earliest printed collections of the constitutions and statutes. II: The decrees and resolutions earlier than 1316. III: The manuscripts. IV: The redactions. V: The general constitutions according to the texts of Narbonne [1260] and Paris [1292].

Theologische Quartalschrift (Tübingen), lxi. 3.—Dr. BRÜCK: *On Nicolas of Cues's appearance at the council of Basle [and the Treves election].*—

A. KOCH: *The authority of St. Augustin in the doctrine of grace and predestination.* II: In the middle ages and modern times.

Theologische Studien und Kritiken (Gotha), 1891, 4.—A. SCHLATTER: *Eupolemus as a chronologer, and his relations to Josephus and Manetho.*—A. KNAAKE: *John of Goch.*

Zeitschrift für Katholische Theologie (Innsbruck), xv. 3.—E. MICHAEL: *Döllinger [a criticism from the ultramontane side].*

Hilgenfeld's *Zeitschrift für Wissenschaftliche Theologie* (Leipzig), xxxv. 1.—A. HILGENFELD: *Priscillian and his recently discovered writings.*—D. G. FRANK: *The Lippowaner* [a sect in Austria; the name is abbreviated from *Philippowaner*, and the sectaries were so called from Vassiliev Photius, styled in religion Philip, who led them in their emigration from Russia].

III. GREAT BRITAIN AND IRELAND

Archæological Journal, No. 190.—J. J. HIRST: *Tombs in Crete of the age of Mycenæ.*—E. PEACOCK: *Our Lady of Pity [the Pietà in English ecclesiastical art].*—Baron DE COSSON: *Arsenals and armouries in southern Germany and Austria.*—BUNNELL LEWIS: *Roman antiquities of Ratisbon and Augsburg.*—EMANUEL GREEN: *Bath as a Roman city.*—E. VENABLES: *Recent archæological discoveries at Lincoln.*

Church Quarterly Review, No. 64. July.—*Didon's life of Christ.*—*The Oxford movement.*—*The history of Edinburgh.*—Scartazzini's '*Prolegomeni*' on Dante.—*Greek influence on Christianity* [on E. Hatch's '*Hibbert lectures*'].—*The colonial episcopate.*—Lord Houghton.—*The original manuscript of the Prayer Book.*

Dublin Review. 3rd Series. No. 50.—W. S. LILLY: *The penal laws [against Roman Catholics], an historical retrospect.*—F. P. DEVINE: *John MacHale-archbishop of Tuam.*—W. H. KENT: *Catholic theology in England [chiefly in the middle ages].*—T. B. SCANNELL: *The memoirs of Louis de Salomon, papal internuncio at Paris during the revolution.*—L. RIVINGTON: *The Roman primacy [in connexion with the canons of early councils].*

Edinburgh Review, No. 355. July.—*The memoirs of prince Talleyrand.*—*The Beatrice of Dante* [examining recent speculations as to her identity].—*Phœnicia* [chiefly on Rawlinson's '*His-*

tory'].—*London architecture in the nineteenth century.*—*The Quakers.*—*The Melville and Leven memoirs* [on Sir W. Fraser's publication].

Jewish Quarterly Review, No. 12.—J. JACOBS: *Three centuries of the Hagin family* [a pedigree of the Anglo-Jewish family of Hagin from 1000 to 1279, according to a calendar in a Hebrew manuscript at Frankfurt discovered by D. Kaufmann].

Quarterly Review, No. 345. July.—*Sir Robert Peel's early correspondence* [to 1827].—*Talleyrand's memoirs.*—*The making of Germany* [dealing specially with the example and influence of Leibniz, Kant, &c.].—*Medieval Athens* [on F. Gregorovius' work].—*The later Jansenists* [from 1710].

Scottish Review, No. 35.—Major C. R. CONDER: *The oriental Jews.*—T. G. LAW: *The legend of Archangel Leslie* [examining its growth].—J. RHYDS: *Certain national names of the aborigines of the British Isles.* [*Iudeu* (some of the Picts); *Pict* (not from '*pictus*', but *Pecht*, preserved in Pentland Firth, and appearing also in names like Keith), translated into the Celtic *Cruithne* or *Prydain* (whence Ptolemy speaks of αἱ Πρεττανικαὶ νῆσοι), the latter being quite distinct from the name of the Brythons (Britanni, Βρεττανολί); *Scot*, apparently another Celtic translation of *Pict*. The non-Aryan names of Britain and Ireland were probably *Albion* (Alban) and *Iverion* (Erinn)].

IV. HOLLAND AND BELGIUM

Bulletin de la Commission de l'Histoire des Eglises Wallonnes (The Hague), v, 1.—A. J. ENSCHEDÉ: *The protestants at Lille during the occupation of the allies* [1708-1713], with lists.—F. ICKEN: *The Walloons at Bremen*.—J. A. LUBLINK SCHRÖDER: *The French church at Franeker* [1686-1808], with lists of officers.—J. G. FREDERIKS: *The Walloon community at Voorburg near the Hague*, with documents.

Messenger des Sciences Historiques de Belgique (Ghent), 1891, 1, 2.—L. ST.: *The cour du roi de Lindre, a cour d'amour in Flanders in the seventeenth century* [from letters of the Adornes family], two articles.—M. HEINS:

The loans of public authorities in Flanders in the thirteenth and fourteenth centuries.—A. GALLET-MIRY: *Provincial administration in Flanders in the Spanish and Austrian periods*, third and fourth articles.—P. CLAEYS: *The Ghent hangman*, third and fourth articles, with a plate.—J. DESTREE: *The psalter of Guy de Dampierre*, concluded, with supplementary note and a plate.—V. VANDER HAEGHEN prints a letter of Louis XIV to the bishop of Ghent [25 March 1678].—J. T. DE RAADT: *Notes from Brussels archives* [sixteenth and seventeenth centuries].—*Notes on local history*.

V. ITALY

Archivio Storico Italiano (Florence), 5th series, vii, 1.—G. PAPALEONI prints the earliest charters of the *Pievi of Bono and Condino in the Trentino* [1000-1350], with an introduction.—C. SCHUBERT-FEDER: *The loggia of Or' San Michele at Florence*.—P. RAJNA: *The etymology and early history of the name 'Napoleone'* [apparently a nickname derived from Naples].—A. BERTOLOTTI: *Olaus Magnus, archbishop of Upsala* [†1557], with documents.—U. PASQUI: *Friar Mansueto* [set up against the papal nominee as bishop of Arezzo, 1329].—E. CASANOVA: *The use of astrology in the presentation of the staff of office to the capitano generale of the Florentine republic*, with documents [1453 & 1478].—G. SFORZA: *The death of Cagliostro*, from despatches at Lucca.—O. VON OTTENTHAL: *German publications in 1889 on Italian medieval history*.—*Calendar of Strozzi papers*, continued.—2. G. PAPALEONI prints a collection of documents in continuation of those in the preceding number.—F. GABOTTO: *On Lodrisio Crivelli, the historian of the fifteenth century*.—C. DE FABRICZY: *The book of Antonio Billi* [its possessor in the fifteenth century] and the manuscripts of it at Florence [identifying two Magliabechian manuscripts with the book so cited], with extracts and notices.—E. PISTELLI: *Vincenzo Marchese* [obituary notice, with bibliography].—L. ZDEKAUER: *The rearrangement of the archives at Pistoia*.—G. SFORZA: *The Este archives at Vienna* [bequeathed by Francis V, last duke of Modena].—C. ERRERA: *Corsica at the end of the fifteenth century*, from two letters of Antonio Ivani [here printed].—G. R. SANESI prints extracts from a 'Gram-

matica moderna' and other works produced during the war of the Spanish succession [full of political references].—*Calendar of Strozzi papers*, continued.

Rivista Storica Italiana (Turin), viii, 2.—C. MERKEL: *Adelaide of Savoy, electress of Bavaria* [† 1676], from her unpublished correspondence; concluded.

Archivio Storico Lombardo (Milan), xviii, 2.—E. MOTTA: *Deaths in Milan from 1452 to 1552* [from the Necrologio in the state archives], with index.—G. ROMANO: *Gian Galeazzo Visconti and the heirs of Bernabò*, second article, concluded; with nineteen documents [1385-1400].—G. B. INTRA: *The two empresses Eleonora Gonzaga* [the wives of Ferdinand II and of Ferdinand III], first article.—L. FRATTI: *A formulary of the chancery of Francesco Sforza, duke of Milan* [printing the formulae of addresses in full and describing the letters].

Archivio Storico per le Province Napoletane, xvi, 2.—B. CROCE: *The theatres of Naples from the fifteenth to the eighteenth century*, continued.—G. D. B. continues the publication of a history of the kingdom of Naples [written by a Venetian at the end of the fifteenth century].—G. CECI: *Churches and chapels at Naples recently destroyed or awaiting destruction*, third article.—N. F. FARAGLIA: *The topography of the Abruzzo in the middle ages*, second article.—G. DEL GIUDICE: *Riccardo Filangieri under Frederick II, Conrad, and Manfred*, third article [1232-1235].—G. CLARETTA prints an account of the visit of Ferdinand IV and the emperor Joseph II to the Certosa of Naples [March 1769].

Archivio della R. Società Romana di Storia Patria, xiv. 1, 2.—F. PASSERI prints the *statute of Campagnano* [of the thirteenth century] with other documents [illustrating legal and social conditions in the Roman province].

—G. TOMASSETTI: *On the Roman Campagna*, continued from vol. xii.—L. FUMI prints *twenty-eight letters to the commune of Orvieto* [1511-1512, valuable for the history of Julius II].

—R. LANCIANI & A. BARDI print the *statutes of the scavengers' company at Rome* [from a manuscript at Copenhagen].—I. GIORGI prints a *letter of Sixtus IV to Philip II* [dated 1589, but apparently belonging to 1588].

—O. T.: *Notice of Ferdinand Gregorovius* [† 1 May 1891].

Archivio Storico Siciliano. New Series, xv. 3, 4.—L. BOGLINO: *The embassy of Enrico Chiaramonte and fra Paolo de' Lapi to king Martin and queen Maria for the submission of Palermo and Monreale*, with two documents [13 Feb. 1397].—L. GIUFFRÈ: *The influenza in Palermo* [1557].—G. MILLUNZI: *Mastro Pietro Oddo and his work in mosaic*.—C. AVOLIO: *The sound of 'ch' in old Sicilian*.—G. B. SIRAGUSA: *The Angevin attempts upon Sicily* [1338-1341], with ten documents.—G. COZZA-LUZI prints a *deed*

of sale of certain messuages to the church of La Martorana in Palermo [1146], and a record by William, archbishop of Trina and Messina, of a dispute concerning lands given to the monastery of S. Filippo di Demenna [1117], with notes.—A. SANSONE prints documents illustrating his essay on Sicily in 1837, published as an appendix to the preceding volume; concluded.

Nuovo Archivio Veneto, i. 1.—A. FAVARO: *Galileo at Venice* [1609].—P. PINTON describes an inscription [1334] and picture at Pieve di Sacco in the province of Padua.—C. CIPOLLA: *Notes on the 'Antiche cronache Veronesi'*, I.—L. A. FERRAI & A. MEDIN describe historical poems of the sixteenth century [from a manuscript in the Morbio collection, now at Milan].—G. SACCARDO: *The column of St. Mark*.—G. MONTICOLA: *The arts of the fiolarii* [glass bottle-makers] in Venice in the thirteenth and early fourteenth centuries, and their statutes.—F. GABOTTO: *Giorgio Valla and his trial at Venice* [1496], with letters.—A. MARCELLO reprints from U. Balzani's edition the *De pace Veneta relatio* found in the Royal manuscript 6. C. II in the British Museum, with an introduction.

VI. RUSSIA

(Communicated by W. R. MORFILL)

The Russian Antiquary (Russkaia Starina).—June-July-August.—*The diary of count P. Valuyev* [1856-1857-1858], continued [illustrating the condition of Russia after the Crimean war].—*General Alexis Arbutov* [1796-1861, a sketch of his life by his son].—*Some characteristics of the emperor Alexander II* [anecdotes illustrating his benevolence].—*Letter of the emperor Peter II* [in German to his maternal grandfather; letters of this emperor, who died in boyhood, are very rare].—July.—*Letters addressed to D Chicherin, governor of Siberia* [1773-1776].—August.—*On the river Amour in 1854-1855* [recollections of an officer who served under N. Muraviev].—*The Ostiak chiefs in the seventeenth century* [illustrating the gradual subjugation of Siberia by the Russians].

The Historical Messenger (Istoricheski Vestnik).—July.—A. TRACHEVSKI: *The Franco-Russian alliance in the time of Napoleon I.*—*Queen Marie Antoinette, from newly discovered documents*, concluded.—July-August.—V. TEFLOV: *Russian representatives at Constantinople, 1496-1891* [containing

interesting details of the early relations of Russia with Turkey].—M. PILAYEV: *The father of Suworov* [the family came to Russia from Sweden in 1628, and the name was originally Suvor].—*England and the neutrality of the seas*.—July-August.—*The enemies of Pombal, an historical study*.

Journal of the Minister of Public Instruction (Zhurnal Ministerstva Narodnago Prosviestchenia).—June.—I. SHIMKO: *Contributions to the biography of Antioch Kantemir and his nearest relatives* [the poet who was ambassador at the court of St. James's in the reign of George II].—G. FORSTEN: *The relations of Sweden with Russia in the reign of Christina* [illustrated with copious extracts from Swedish state papers].—July.—I. LINNICHENKO: *A criticism of recent works on the history of Galicia*, concluded.—G. DESTUNIS: *Contributions to the sources of Byzantine history* [containing valuable extracts from obscure Byzantine authors].—August.—N. MILYUKOV: *The economical condition of Russia with reference to the reforms of Peter the Great*, continued.

VII. SPAIN

Boletín de la Real Academia de la Historia, xviii. 5. May.—T. G. RODRIGUEZ: *A diploma of Charles V* [relating to the resistance of the town of Arévalo to alienation from the crown in favour of the queen dowager Germaine].—J. XIQUÉS: *The bishops of Ceuta from 1432 to the present day* [the first bishop was an English Franciscan, confessor to queen Philippa of Portugal, daughter of John of Gaunt].—R. MORO: *Archæological discoveries at Monte Cildad, Monte*

Bernorio, Loncejares, and Arconada.—F. FITA: *Documents relating to Monte Cildad and the city of Oliva* [1175-1231].—*Epigraphical notices*.—6. June.—F. CODERA: *Catalogue of Arabic books in the khedive's library at Cairo*.—A. DELGADO: *Sketch of the history of the town of Niebla* [between Seville and Huelva].—F. FITA: *Documents relating to S. Luis Gonzaga* [among them a panegyric of Philip II by the saint].

VIII. SWITZERLAND

Jahrbuch für Schweizerische Geschichte (Zürich), xvi.—G. MEYER VON KNONAU: *The work of the Allgemeine Geschichtsforschende Gesellschaft der Schweiz from 1841 to 1891*.—K. RITTER:

Johann Caspar Zellweger [1768-1855] *and the foundation of the Gesellschaft, with a portrait and a selection from his correspondence*.

IX. UNITED STATES OF AMERICA

Magazine of American History.—June—S. B. WEEKS: *The slave insurrection in Virginia, 1831*.—W. R. BENJAMIN: *Letters from London to South Carolina* [giving a merchant's views at the beginning of the war, 1775].—*Notes from Washington's diary* [chiefly relating to Mount Vernon].—July—Mrs. M. J. LAMB: *A sketch of the history of the city of Montreal*.—W. L. SCRUGGS: *The Monroe doctrine* [arguing that the policy of non-intervention in European affairs was recognised by the government of the United States so early as 1787].—ALEXANDER BROWN: *Captain John*

Smith [reasserting his protest against his narrative being taken as a trustworthy authority on early colonisation].—Letter by Robert Morris [1797].—Letter from P. Cortlandt Livingston, midshipman on the Chesapeake. —August—J. L. HEATON: *On the admission of Kentucky to the Union* [1792].—J. S. HARTLEY: *Samuel Provoost, first bishop of New York* [1787-1801].—General M. WRIGHT: *Governor Merriwether Lewis* [1774-1809].—*Journal of brigade-major F. Skelly, I* [dealing with the demonstration against Charlestown, 1779].

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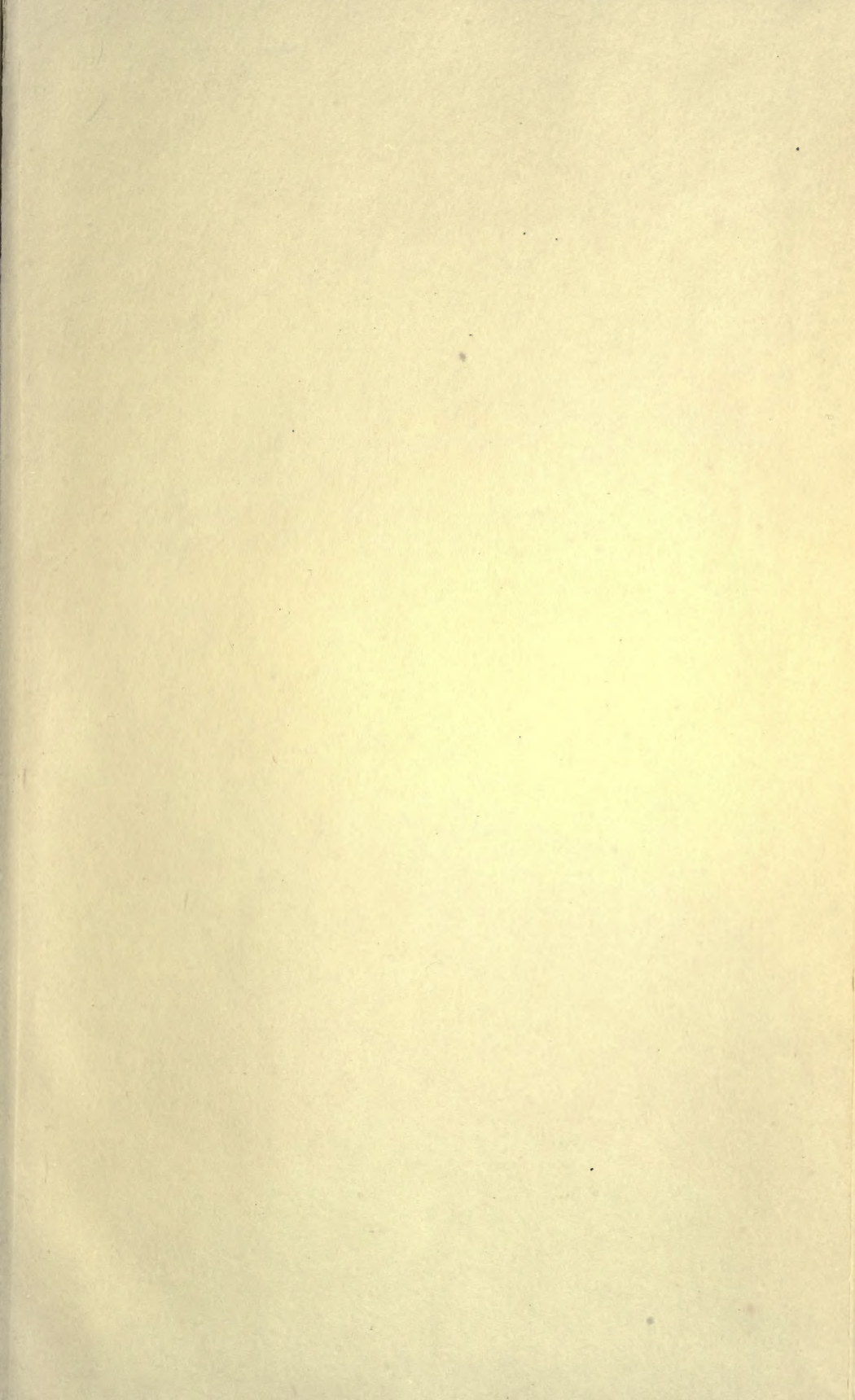
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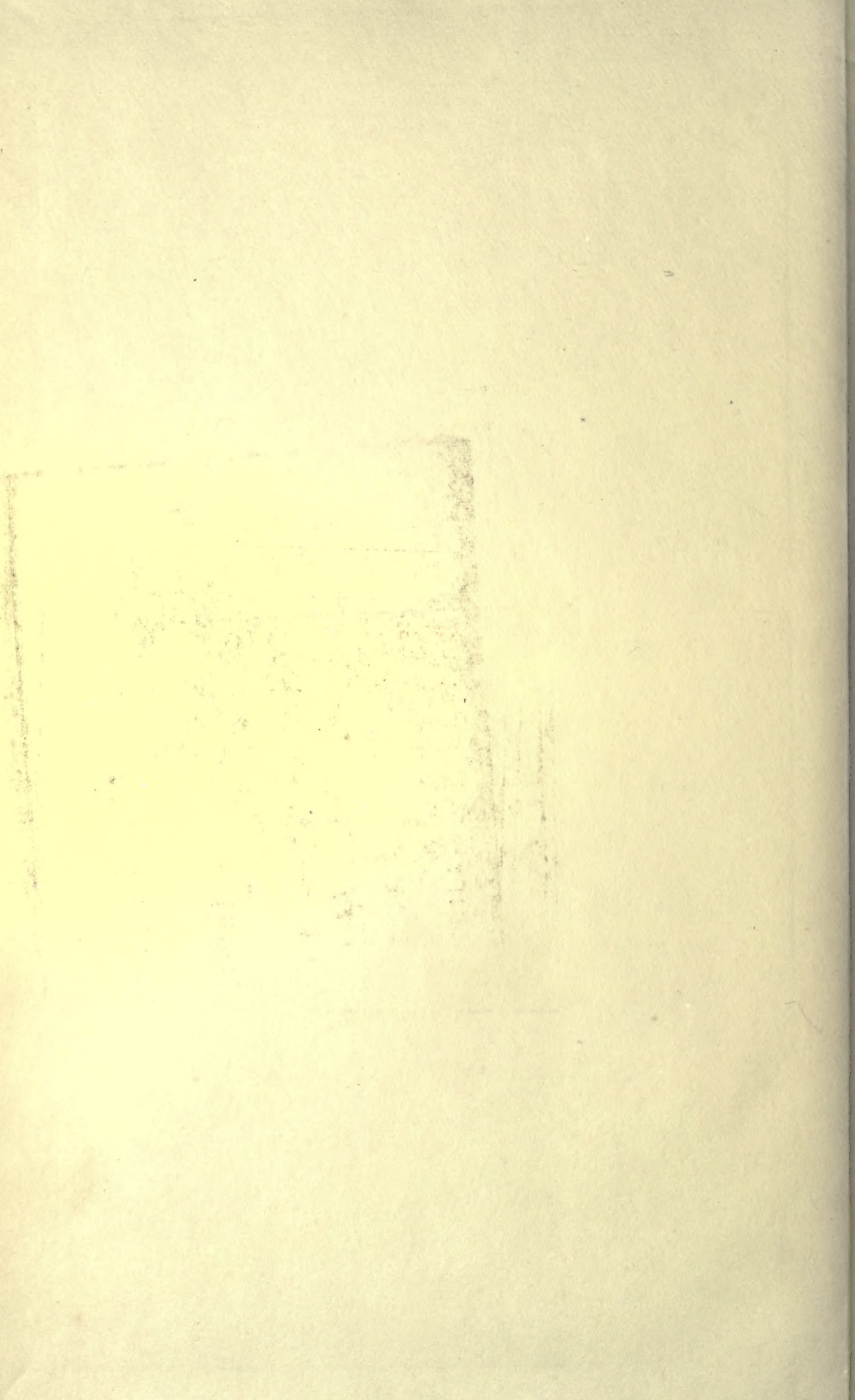
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